

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

The mission of the California Commission on Peace Officer Standards and Training is to continually enhance the professionalism of California law enforcement in serving its communities.



Gray Davis
Governor

Bill Lockyer
Attorney General

COMMISSION MEETING AGENDA

Thursday, October 28, 1999

Flamingo Resort Hotel

2777 Fourth Street

Santa Rosa, CA 95405-4795

(707) 545-8530

AGENDA

CALL TO ORDER - 10:00 A.M.

COLOR GUARD AND FLAG SALUTE

MOMENT OF SILENCE HONORING PEACE OFFICERS KILLED IN THE LINE OF DUTY

Since the last Commission meeting, the following officers have lost their lives while serving the public:

- o Deputy Brad Riches, Orange County Sheriff's Department
- o Officer C. Daniel Kelley, Maywood Police Department
- o Deputy Eric A. Thach, Riverside County Sheriff's Department

ROLL CALL OF COMMISSION MEMBERS

INTRODUCTIONS

WELCOME ADDRESS

APPROVAL OF MINUTES

- A. Approval of the minutes of the March 11, 1999 regular Commission meeting at the Red Lion Sacramento Inn Hotel in Sacramento.

CONSENT CALENDAR

B.1 Receiving Course Certification Reports

- o From the March 1999 meeting to July 15, 1999, there were 30 certifications.
- o Since July 15, 1999, there have been 80 certifications, 10 decertifications, and 124 modifications.

In approving the Consent Calendar, your Honorable Commission receives the report.

B.2 Receiving Information on New Entries Into the POST Regular (Reimbursable) Program

- o The Solano Community College District Police Department has met the Commission's requirements and has been accepted in the POST Regular (Reimbursable) Program.
- o The Southwestern College Police Department has met the Commission's requirements and has been accepted in the POST Regular (Reimbursable) Program.
- o The Long Beach Community College District Police Department has met the Commission's requirements and has been accepted in the POST Regular (Reimbursable) Program.
- o The California State University Channel Islands Police Department has met the Commission's requirements and has been accepted in the POST Regular (Reimbursable) Program.

In approving the Consent Calendar, your Honorable Commission receives the report.

B.3 Receiving Information on New Entries Into the POST Public Safety Dispatcher Program

Procedures provide that agencies that have expressed willingness to abide by POST regulations and have passed ordinances as required by Penal Code Section 13522 may enter into the POST Reimbursable Public Safety Dispatcher Program pursuant to Penal Code Section 1351(c) and 13525.

In approving the Consent Calendar, your Honorable Commission notes that the San Bernardino City Unified School District Police Department and the Colusa County Sheriff's Department have met the Commission's requirements and have both been accepted into the POST Reimbursable Public Safety Dispatcher Program.

B.4 Receiving Information on Withdrawals From the POST Regular (Reimbursable) Program

The Riverside County Coroner's Office has been merged with the Riverside County Sheriff's Department. In approving the Consent Calendar, the Commission takes note that they are no longer part of the POST Regular Program.

B.5 Information Report Regarding Mandatory Ethics Training for State Officials.

Recent legislation mandates that State officials who are required to file annual conflict of interest statements must receive initial and periodic "ethics training". The enclosed report describes optional means for members of the Commission to receive this training. In approving the Consent Calendar, your Honorable Commission receives the report.

B.6 Status Report on Voluntary Basic Course Instructor Certification Program.

The enclosed report provides progress to-date on this matter and is submitted for information only. In approving the Consent Calendar, your Honorable Commission receives the report.

B.7 Resolution for Doctor Jim Norborg, retired POST Personnel Selection Consultant II

Jim Norborg retired after 16 years of service to POST. In approving the Consent Calendar, your Honorable Commission adopts a Resolution commending Jim Norborg as a recognized expert in testing areas and more than any other individual, was responsible for developing the Basic Course Testing system. Jim passed away on August 30, 1999.

B.8 Resolutions for Management Fellows, Frank Decker, Carol Aborn, Ted Prell and Leslie Brown.

These individuals are completing their tenure as POST Special Consultants under the Commissions Management Fellowship program. All have performed in an exemplary

manner, performing outstanding service to the Commission and law enforcement. Proposed resolutions are enclosed. In approving the Consent Calendar, your Honorable Commission adopts resolutions commending the outstanding performance of each of these individuals.

B.9 Resolutions for Rose Avila, Steve Lucas and Patricia Cassidy

Resolutions are proposed to recognize the outstanding performance of these POST employees in the development of POST's 1998 Annual Report. In approving the Consent Calendar, your Honorable Commission adopts resolutions commending the outstanding performance of each of these individuals.

B.10 Receiving Financial Report - First Quarter FY 1999-2000

The first quarter financial report will be provided at the meeting for information purposes. In approving the Consent Calendar, your Honorable Commission receives the report.

PUBLIC HEARING

C. Public Hearing on Amending Commission Regulations to Reimburse Agencies for POST-Certified Training Presented in States Contiguous to the State of California

POST has been participating in efforts to create cooperative agreements with states contiguous to the State of California. This action will increase the availability of training for agencies and personnel assigned to sparsely populated border regions of California. Initial collaborative training efforts between California and Oregon has proven successful, and discussions regarding a similar effort have been initiated with Nevada and, to a limited extent, Arizona. The issue to be addressed that will enhance this effort is POST reimbursement for the cost of training that is presented in these other (contiguous) states.

Therefore, the Commission is proposing to amend Regulations 1015, Reimbursements, to enable the Commission to reimburse California agencies for the costs associated with attending certified training presented in states contiguous to the State of California.

At its January 21, 1999, meeting, the Commission set a public hearing at the July 15, 1999, Commission meeting for the purpose of amending Commission Regulation 1015, Reimbursements.

If the Commission concurs, the appropriate action would be, subject to the public hearing process, a MOTION to approve the proposed amendment (addition) to Commission Regulations, 1015, Reimbursements as specified to authorize reimbursement for California agencies whose officers attend POST-certified training approved for presentation in Oregon, Nevada, and Arizona.

BASIC TRAINING BUREAU

D. Report on Proposal to Modify Regulation 1007 Reserve Officer Training Requirements

At its January 21, 1999 meeting the Commission approved changes in Commission regulations and procedures that revised entry level training requirements for reserve peace officers. The new modular system replaces the Module A, B, C, and D format that was formerly used to provide entry level training. Level II Reserves who were trained under the old format had until June 30, 1999, to be appointed. Any Level II reserve appointed after July 1, 1999, must complete more extensive training modules under the new regulations.

Through contacts with agencies, reserve training presenters, and students, staff has determined that there has been an adverse impact caused by the implementation of the new training system. Staff has attributed the adverse impact to the fact that: 1) there has been a delay in certifying the new training modules and the new Level II Module is currently unavailable; 2) some agencies, due to limited resources, were unable to complete background investigations on Level II applicants who were Module A and B trained prior to the June 30, 1999, deadline; and 3) there has been an increased demand for Level II Reserves since the Level I training requirements increased to the Regular Basic Course. It is proposed that language be added to modify the Level II training requirements for appointments made between January 1, 2000, and June 30, 2000, to either successful completion of Modules A and B or the new Level III and Level II Modules of the Regular Basic Course Modular Format. This will give presenters adequate time to get the new modular format courses certified, while at the same time we will be accommodating agencies who are in need of Level II reserves and those students who were not able to be appointed to a Level II position prior to July 1, 1999.

If the Commission agrees with the proposed amendments, it is proposed that the Notice of Proposed Regulatory Action process be used. If no one requests a public hearing, the proposed changes will become effective 30 days after approval by the Office of Administrative Law.

If the Commission concurs, the appropriate action would be a MOTION, subject to the results of the Notice of Proposed Regulatory Action, to approve the modifications to Regulation 1007 and Procedures H-3 and H-5 as described.

E. Report on Proposal to Amend Procedure H-3 for Reserve Officer Training Requirements

Effective July 13, 1999, Governor Davis signed into law Senate Bill 359 (Knight) that amended Penal Code Section 832.6 providing a lateral transfer provision for current Level I and Level II reserve peace officers that exempts them from current minimum training requirements. It has long been the practice of the Commission to view transfers of reserve peace officers from one agency to another as new appointments. Since a new appointment required the reserve peace officer to meet any new training requirements that may have been established since their original appointment, transfers between law enforcement agencies were very uncommon. The proposed amendments to Commission Procedure H-3 is to establish a lateral transfer provision for current Level I and Level II reserve peace officers. These amendments are supported by numerous agencies and training presenters.

If the Commission agrees with the proposed amendments, it is proposed that the Notice of Proposed Regulatory Action process be used. If no one requests a public hearing, the proposed changes will become effective 30 days after approval by the Office of Administrative Law.

If the Commission concurs, the appropriate action would be a MOTION, subject to the results of the Notice of Proposed Regulatory Action, to approve the modifications to Procedure H-3 as described.

F. Report on Proposal to Modify Regulation 1080 for P.C. Section 832 Requalification Examination Process

The Commission has administered and managed the PC 832 Requalification Examination process for a number of years. The current process has added an unnecessary layer of administrative steps that have created delays for both trainees seeking to enter the course and the presenters who are facilitating the course. It has also required POST staff resources to manage the process and the administration of a series of contracts to deliver the training.

It is proposed that this process be simplified and much of the administrative functions in the process turned over to five POST-certified presenters who have been presenting the testing for many years. At the conclusion of the process the presenter would notify POST that the student has successfully completed the requalification process and POST would update that student record.

The proposed modifications to Regulation 1080 transfer many of the administrative functions to the POST-certified presenter. The entire process would still be monitored by POST staff. This change is supported by the presenters. It will eliminate the need for individual contracts and provide a simplified process for students needing to requalify their PC 832 training.

It is also proposed that the Notice of Proposed Regulatory Action process be used. If no one requests a public hearing, the proposed changes will become effective 30 days after approval by the Office of Administrative Law. Attachment A contains the proposed regulatory language.

If the Commission concurs, the appropriate action would be a MOTION, subject to the results of the Notice of Proposed Regulatory Action, to approve the modifications to Regulation 1080, as described in the report.

G. Report on Proposal to Modify Regulation 1081 to Establish POST Training Requirements for Short-Barreled Rifles and Shotguns

Senate Bill 359 (Knight, Chapter 111) was passed as urgency legislation effective July 13, 1999. The bill primarily addressed reserve officer training requirements. The bill also imposed a new training requirement for officers possessing short barrel rifles and shotguns. Current law (P.C. 12020) prohibits the possession of such firearms. Specified officers are exempt from the prohibition if they have completed a course certified by POST. The report under Tab "F" proposes a two-part training course to meet this training requirement – one for short-barreled shotguns and the other for short-barreled rifles. POST has routinely incorporated the training on short-barreled shotgun training in the Regular Basic Course since most law enforcement agencies use such weapons. Therefore, completion of the Regular Basic Course would satisfy this training requirement. Since short-barrel rifles are issued infrequently to peace officers, a separate training course is proposed. Most attendees would be officers assigned to SWAT-type units.

In developing the proposed training course, input was received from firearms subject matter experts and the California Attorney General's Office.

If the Commission concurs, the appropriate action is to approve the proposed addition to Regulation 1081, subject to results of a Notice of Regulatory Action.

TRAINING PROGRAM SERVICES BUREAU

H. Proposed Changes to Legislatively Mandated 32-Hour School Police Officer Course, Commission Regulation 1081(a)(20)

Pursuant to Senate Bill 1627, Penal Code Section 832.3 was amended. Effective July 1, 1999, any school police officer first employed before July 1, 1999, is required to successfully complete a specialized course of training to meet the unique safety needs of a school environment no later than July 1, 2002. Any school police officer first employed after July 1, 1999, is required to successfully complete this course within two years of the date of first employment. POST is directed to develop and approve this specialized course of training.

The in-service training requirement is designed to be met via successful completion of a 32-hour school police officer course developed by a group of subject matter experts, presenters and others in November of 1998 and March of 1999.

Staff recommends that the proposed curriculum be adopted pursuant to the Administrative Procedures Act by using the Notice of Proposed Regulatory Action.

If the Commission concurs, the appropriate action, subject to the results of the proposed Notice of Regulatory Action, would be a MOTION to adopt the proposed revised curriculum for inclusion into Commission Regulation 1081.

I. Proposed Curriculum For Radar Training Implementing Vehicle Code Section 40802(c) (A) and (B)

Existing law requires an engineering and traffic survey be conducted within five years before the date of an alleged violation if the enforcement of the speed limit involves the use of radar or any other electronic device that measures the speed of moving objects.

There is no legislative training requirement for officers in the use of radar, however, the courts have required officers that use radar for traffic speed enforcement to attend training.

Pursuant to Assembly Bill 2222, subparagraphs (c)(A) and (B) were added to Vehicle Code Section 40802. Assembly Bill 2222 also allows cities or counties to extend their engineering and traffic surveys to seven or ten years providing the officer using the radar or laser for traffic speed enforcement successfully completes a course of training approved and certified by POST as specified in Vehicle Code Section 40802 (c)(A) and (B).

Subparagraph (c)(A) requires that when radar is used for traffic enforcement purposes, the officer issuing the citation must have successfully completed a radar course of not less than 24-hours on the use of police traffic radar and the course was approved and certified by the Commission on Peace Officer Standards and Training.

Subparagraph (c)(B) requires when a laser or any other electronic device is used to measure the speed of moving objects, the officer issuing the citation must have successfully completed the training required in subparagraph (A), above, and an additional training course of not less than two hours approved and certified by POST.

As a result of this legislation it is proposed to add Commission Regulations 1081(a)(28), radar operator curriculum, and 1081(a)(29), laser operator curriculum.

The in-service training requirement is designed to be met via successful completion of a 24-hour radar operator's course and an 8-hour laser operator's course developed by a group of subject matter experts and course presenters in January and March of 1999.

Staff recommends that the proposed curriculum additions be adopted pursuant to the Administrative Procedures Act by using the Notice of Proposed Regulatory Action.

If the Commission concurs, the appropriate action, subject to the results of the proposed Notice of Regulatory Action, would be a MOTION to adopt the proposed curriculum for inclusion into Commission Regulation 1081.

J. Request for Authority to Contract with San Diego State University to Convert the Existing P.C. 832 Interactive Videodisc Course to CD-ROM Format

In 1993, the Commission spent \$266,000 to revise the P.C. 832 IVD course, which had been in use since 1989. The California Youth Authority contributed \$100,000 to make the total cost \$366,000.

POST is in the process of converting other IVD courses to CD-ROM format and to provide these courses to agencies that are in the process of purchasing new CD-ROM-based

interactive multimedia computers being reimbursed by POST. The CD-ROM format will make multimedia training more accessible and easier to use. In addition, the Commission is in the process of funding all of the Basic Course academies for the purchase of the new computers. The CD-ROM version of P.C. 832 would be able to run on these systems.

Users have indicated that the IVD courseware has enabled training to be provided that otherwise would not have been available or obtained only with great difficulty and cost.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into a contract with San Diego State University for an amount not to exceed \$190,000 to convert the existing P.C. 832 interactive videodisc course to CD-ROM format. (ROLL CALL VOTE)

K. Request for Approval to Contract for Additional Presentations of Domestic Violence Training Courses

As a result of receiving a VAWA Law Enforcement Training Grant in the amount of \$2,929,112, POST presented forty (40) 8-hour workshops to line personnel and supervisors on the legal updates and newest information on handling domestic violence calls throughout the State of California. Funds remain in the first year (1997-1998) project account for additional presentations.

Staff has identified the San Diego Regional Training Center as the entity to continue facilitating this training. The use of this vendor will ensure the continued smooth and successful operation of this project. It is recommended that the Executive Director be authorized to enter into this contract with the stipulation that the total amount of the contract does not exceed \$145,000. (ROLL CALL VOTE.)

L. Request for Approval to Contract for Assistant Grant Coordinator Position for Existing Violence Against Women Act Grant

As a result of receiving a VAWA Law Enforcement Training Grant currently in the amount of \$7,038,179, POST has proposed to complete 25 training projects by December 31, 2000. In the Fiscal Year 98/99 and 99/00 augmentation, funds were designated for an Assistant Grant Coordinator to be hired to assist facilitating grant projects and to generate mandated financial reports.

In an effort to expedite the process, San Diego Regional Training Center (SDTRC) has agreed to employ an assistant grant coordinator to be assigned to POST for the duration

of the contract. It is recommended that the Executive Director be authorized to enter into this contract with the stipulation that the total amount of the contract does not exceed \$75,000 for salary plus 10% indirect costs for a total of \$82,500.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into a contract for hiring an assistant grant coordinator for Fiscal Year 1999/00 in an amount not to exceed \$82,500. (ROLL CALL VOTE).

M. Request for Approval to contract for Development and Two Pilots of Robert Presley Institute of Criminal Investigation Hate Crime Course

The Los Angeles County Sheriff's Department, Alameda County Sheriff's Department, along with many other law enforcement and community organizations, have been working with POST to develop an ICI Hate Crimes Specialty Course. Several major law enforcement agencies in the state are in the process of revising their hate crime policies and are committed to training programs within their departments. Additionally, at the national level, the President has held a Hate Crime Summit and the U.S. Department of Justice has developed curriculum for law enforcement on the topic. Recent California arsons and shootings in Sacramento and Los Angeles underscore the importance of this topic. POST has recently revised the legislatively mandated Hate Crime Guidelines. POST presently does not have certified curriculum for follow-up investigators.

If the Commission concurs, the appropriate action would be a MOTION authorizing the Executive Director to enter into a contract with the San Diego Regional Training Center (SDRTC) for development and two pilot presentations of the Robert Presley Institute of Criminal Investigation (ICI) Hate Crime Specialty course in an amount not to exceed \$51,900 for the fiscal year 1999-2000. (ROLL CALL VOTE).

N. Request for Approval to Contract for Domestic Violence and Sexual Assault Training Courses

As a result of a series of VAWA Law Enforcement Training Grants, POST has completed several training projects in the topics of Domestic Violence and Sexual Assault for law enforcement and public safety dispatch personnel and supervisors. In the past, San Diego Regional Training Center (SDRTC) has facilitated these training courses in an efficient manner. Staff has identified SDRTC as the entity to continue to facilitate this training. The use of this vendor will ensure the continued smooth and successful operation of the projects. It is recommended that the Executive Director be authorized to enter into a contract for new training courses for a total amount not to exceed \$479,015.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into a contract with SDRTC for training courses as specified in the report for Fiscal Year 1999/00 in an amount not to exceed \$479,015.
(ROLL CALL VOTE)

O. Request for Approval to Contract for Robert Presley Institute of Criminal Investigation Sexual Assault and Child Abuse Courses

The Sacramento Regional Criminal Justice Training Center (SRCJTC) is the original presenter of the Sexual Assault and Child Abuse course for ICI. Several years ago the Los Angeles County Sheriff's Department was added as a presenter. Two years ago the two topics were split and each expanded to 5-day classes. This was necessary to meet the training needs of the field because of the growing specialization needs of the two topics.

SRCJTC is affiliated with the Los Rios Community College District. Under K-14 Education Code SRCJTC cannot accept tuition for classes beyond a modest material fee. ICI classes are limited to a maximum of 25 students. This is due to the instructional methodology that requires student work teams and other adult experiential delivery design requirements. As a result, full time student equivalent fees generated by a class of 25 students under this K-14 formula are \$6,096. The cost of delivery of each of these classes is \$10,633. While POST is willing to pay the difference between FTE funds and the actual cost, the college cannot legally accept the funds. Up to this year the college has been willing to subsidize the cost of the class. They are no longer financially able to do so.

There have been significant changes in state law regarding these two topics, sexual assault and child abuse. POST was mandated to develop curriculum and guidelines to implement these changes. That work has been completed. It is therefore, necessary to conduct workshops with staff and instructors to review existing curriculum and student materials to accurately reflect those changes. The recommended action would accomplish curriculum updates for both classes.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into a contract with the Sacramento Regional Criminal Justice Training Center (SRCJTC) for the presentation of four courses each of the ICI Sexual Assault and ICI Child Abuse Foundation Specialty investigator courses, and to conduct curriculum update workshops for those two topics, in an amount not to exceed \$97,844 for the fiscal year 1999-2000.

P. Request for Approval to Contract for Management Fellow to Coordinate Violence Against Women Act (VAWA) Grant

As a result of receiving a VAWA Law enforcement Training Grant, currently in the amount of \$7,038,179, POST has proposed to complete 25 training projects by December 31, 2000. In the augmentation for Fiscal Years 98/99 and 99/00, funds were designated for a management fellow to act as the grant coordinator to facilitate grant projects, maintain financial records and generate required reports. Previously, the position was filled by a sergeant with Santa Barbara County Sheriff's Department. She will no longer be available after November 3, 1999, at the completion of her contract. It is recommended that the Executive Director be authorized to enter into a contract with a California Law Enforcement agency to fill the grant coordinator position with the stipulation that the amount of the contract does not exceed \$120,000.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into a contract for hiring a management fellow to act as the grant coordinator for Fiscal Year 1999/00, in an amount not to exceed \$120,000.
(ROLL CALL VOTE)

CENTER FOR LEADERSHIP DEVELOPMENT

Q. Basic Supervisory Pilot Courses Under Contract

POST staff made recommendations concerning the redesign of the Supervisory Course to the Long Range Planning Committee at its June 18, 1999, meeting. The Long Range Planning Committee approved this recommendation, and this agenda item implements the pilot presentations of the redesigned course. This matter is more fully described in the enclosed report.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into a contract with public entities, to be selected, for a total not to exceed \$180,000. (ROLL CALL VOTE)

R. Supervisory Course Instructors' Training Workshop

POST staff made recommendations concerning the Supervisory Course to the Long Range Planning Committee at its June 18, 1999, meeting. One recommendation was to implement a course to train Supervisory Course instructors. The Long Range

Planning Committee approved this recommendation, and this agenda item implements that training program. This matter is fully described in the enclosed report.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into a contract with public entities, to be selected, for a total not to exceed \$108,000. (ROLL CALL VOTE)

ADMINISTRATIVE SERVICES BUREAU

S. Modifications Regarding Certificate Cancellation

In 1991 the Commission approved regulation changes to expand grounds for certificate cancellation to include certain felonies reduced to misdemeanors, pursuant to Penal Code Section 17(b)(1) or (3). This provision has never been enforced and the Attorney General has concluded a legal deficiency exists with this provision.

As described in the enclosed report, it is proposed the Commission rescind this provision of its regulations. If the Commission concurs, appropriate action would be a MOTION to rescind the provision subject to results of a public notice process.

STANDARDS AND EVALUATION BUREAU

T. Request for Approval to Enter Into a Contract For Services of a Special Consultant

Difficulty in recruiting new peace officers is once again being experienced by local agencies, and perhaps it is once again appropriate for POST to examine this issue. This may be so especially in light of increased recruitment difficulties anticipated as POST raises the bar on its standards and as competition from other professions increases. Further assistance in the form of a Special Consultant (management fellow) appears to be called for.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into a contract with a local law enforcement agency for a special consultant (management fellow) to study recruitment issues for a period not to exceed one year and at a cost not to exceed \$130,000 for salary and benefits. (ROLL CALL VOTE)

COMMITTEE REPORTS

U. Finance Committee

Chairman Rick TerBorch will report on the Commission Finance Committee meeting held in Burbank on July 15, and on October 27, 1999.

V. Long Range Planning Committee

Chairman Rick TerBorch will report on the Long Range Planning Committee meeting held June 18, 1999 in Sacramento.

W. Advisory Committee

Chairman Charles Byrd will report on the POST Advisory Committee meeting held October 27, 1999.

X. Legislative Review Committee

Commissioner Bill Kolender will report on the Legislative Review Committee meetings held July 15, 1999 and October 28, 1999.

Y. Strategic Plan Implementation Committee

Commissioner TerBorch, Chairman of the Committee on Strategic Plan Implementation, will report on the progress of the Plan and recommend approval of the 1999 Update.

OLD/NEW BUSINESS

Z. POST Advisory Committee Vacancies and Reappointments

The following Advisory Committee members have expressed a desire to resign from the Committee effective October 28, 1999:

- o Don Brown, representing California Organization of Police and Sheriffs (COPS). COPS has selected Lt. Ray Griffith of the Cathedral City Police Department as his replacement.
- o Judith Valles, a public member.
It is recommended that Philip del Campo, former POST Commissioner replace Ms. Valles as a public member of the Committee.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

January 27, 2000, Hanalei Hotel, San Diego
April 20, 2000, Piccadilly Inn Airport, Fresno
July 20, 2000, Regency Plaza Hotel, San Diego
October 26, 2000, to be determined

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

The mission of the California Commission on Peace Officer Standards and Training is to continually enhance the professionalism of California law enforcement in serving its communities.



Gray Davis
Governor

Bill Lockyer
Attorney General

COMMISSION MEETING MINUTES

March 11, 1999

**Red Lion Sacramento Inn Hotel
1401 Arden Way, At Business 80
Sacramento, CA 95815
(916) 922-8041**

Chairman Rick TerBorch called the Commission meeting to order at 10:10 a.m.

The Color Guard from the Sacramento Police Department posted the colors, and Commissioner Ted Hunt led the flag salute.

MOMENT OF SILENCE HONORING PEACE OFFICERS KILLED IN THE LINE OF DUTY

Officer Bill Bean, Jr., Sacramento Police Department

POST COMMISSION IS WELCOMED TO CITY OF SACRAMENTO BY SACRAMENTO P. D. CHIEF, ARTURO VENEGAS, JR.

Chief Venegas welcomed the Commission to Sacramento and distributed commemorative patches celebrating 150 years of existence for the Sacramento Police Department.

ROLL CALL OF COMMISSION MEMBERS

A calling of the roll indicated a quorum was present.

Commissioners present:

David Anderson
Michael T. Carre (via conference phone)
Ted Hunt
William Kolender
Thomas Knutson
Bud Hawkins, Attorney General Representative
Jan Scully
Rick TerBorch

Commissioners absent:
Philip del Campo

INTRODUCTIONS

Visitors present:

Al Waters, San Francisco Deputy Sheriffs Assn. and member of the POST
Advisory Committee
Steve Craig, PORAC
Fran Clader, OCJP
Bob Norman, Foster City P.D.
James Miller, San Francisco Deputy Sheriffs' Assn.
Vickie Kirk, CPOA
Bob Jacobson, Office of State Publishing

Staff present:

Kenneth J. O'Brien, Executive Director
Mike DiMiceli, Assistant Executive Director, Field Services Division
Glen Fine, Assistant Executive Director, Administrative Division
Hal Snow, Assistant Executive Director, Standards and Development Division
Alan Deal, Bureau Chief, Standards and Evaluation
Tom Hood, Public Information/Legislative Liaison
Jack Garner, Bureau Chief, Management Counseling
Frederick Williams, Bureau Chief, Administrative Services
Bud Lewallen, Bureau Chief, Training Program Services
Kenneth Whitman, Bureau Chief, Basic Training
Dave Hall, Bureau Chief, Information Services
Dick Reed, Bureau Chief, Training Delivery and Compliance
Kelly Young
Jody Buna
Shirley Paulson
Jill Barnes
Tom Liddicoat
Ramona Kraffenhof
Marsha Hong
Tony Aielts
Mary Salontai
Karen Hightower
Sheila O'Hare
Anita Martin, Secretary

CHAIRMAN'S STATEMENT CONCERNING MEETING AGENDA

Chairman TerBorch briefly explained that due to the uncertainty of having a quorum for the month of April 1999, the Commission is meeting at this time to specifically act on POST contracts to ensure that training continues throughout the State.

APPROVAL OF MINUTES

- A. MOTION – Hunt, second – Hawkins, carried unanimously to approve the minutes of the January 21, 1999, regular Commission meeting at the Bahia Resort Hotel, San Diego, California.

CONSENT CALENDAR

MOTION – Hunt, Second – Kolender, carried unanimously to approve the following items on the Consent Calendar:

- B.1 Receiving Course Certification Report
- B.2 Receiving Information on New Entries Into the POST Regular (Reimbursable) Program
- B.3 Receiving Information on Withdrawals From the POST Program
- B.4 Report on Evaluation of Museum of Tolerance Training Program.

Ken O'Brien, Executive Director, stated that copies of the complete Evaluation package were available. He reported that POST staff has been working with the Museum staff to address the 15 issues cited in that evaluation. Action plans have been put in place to deal with the recommendations and POST staff is satisfied with the cooperation demonstrated by the Museum.

- B.5 Report on Field Training Program Approvals
- B.6 Approving Resolution of Commendation for Lieutenant Kelly Young

ADDITIONAL DISCUSSION

Discussion of Agenda Item B.5

Staff reported on the progress of the program and approval process. It was noted by Chairman TerBorch that the Basic 40-hour Field Training Officer course is an exception to the 80-hour cap on training. Since most FTO assignments are ancillary, the FTO update course, as well as the Administrators' course, should both also be exceptions to the 80-hour cap because of the importance of these programs.

MOTION – Anderson, second – Knutson, carried unanimously to approve the Field Training Officer Update Course and the Administrators' Course be exceptions to the 80-hour cap on training.

PRESENTATION

- C. Presentation of Resolution to Lt. Kelly Young

STRATEGIC PLAN

- D. Quarterly Report on Strategic Plan Implementation.

Assistant Executive Director Hal Snow reported that 80% of the objectives are in the process of being implemented or have already been implemented. The next meeting of the Strategic Plan Implementation Committee is on Monday, April 5, 1999. At that time, the Plan will be reviewed and changes will be proposed. A report on the proposed changes will be given at the July 1999 Commission meeting.

It was noted that each of the newly elected Sheriffs has been provided with a copy of the POST Strategic Plan.

BASIC TRAINING

- E. Proposed Contract Amendment With Office of State Publishing for Instructor Workbooks

The proposed amendments to the existing agreement require the Office of State Publishing to deliver 300 sets of instructional packages for each of the remaining ten learning domains scheduled for workbook conversion during fiscal year 1999-2000. In addition, it is proposed that OSP will provide an additional 100 sets of instructional packages for use by multiple instructors in the Basic Course for Learning Domains #19 (Vehicle Operations), #33 (Arrest and Control/Baton), and #35 (Firearms/Chemical Agents).

Two associated amendments are proposed to deal with the development of a pilot program to release 14 specific learning domain workbooks on CD-ROM format and the development of a Digital Archive system to store and track curricula for the student workbooks, instructor guides, and training specifications. This system will also store all previous versions of these materials for archive purposes. Details about how to implement the various proposals will be written into the amended Interagency Agreement.

MOTION – Scully, second – Kolender, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to sign an amended Interagency Agreement with the Office of State Publishing at an increased cost not to exceed \$302,801.00, for the purposes of:

- 1) video duplication, printing, packaging, and distributing basic training instructor materials to law enforcement academies;
- 2) developing a pilot program to deliver selected student workbooks and instructor materials to academies and law enforcement agencies using CD-ROM technology and the Internet; and
- 3) developing a Digital Archive System to store and track instructional curriculum.

STANDARDS AND EVALUATION

F. Contract for Basic Course Modular Format Testing Services

The POST Regular Basic Course – Modular Format takes effect on July 1, 1999. This format requires students take and pass five new POST-constructed knowledge examinations and a first-aid test to successfully complete the training. Staff does not have the resources to print and ship these examinations to the 35 agencies expected to be certified in FY 99/00 to present the course in the modular format.

MOTION – Hawkins, second – Kolender, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to negotiate a contract with Cooperative Personnel Services (CPS) to print and ship the required examinations in an amount not to exceed \$22,241.00.

G. Contract Request for Job Analysis of Supervisors and Managers

Every peace officer promoted, appointed, or transferred to a first-level supervisor position (e.g., Sergeants) is required to satisfactorily complete the 80-hour, POST certified Supervisory Course prior to promotion or within twelve months after the promotion, appointment, or transfer. Similarly, peace officers promoted, appointed or transferred to a middle management (e.g., Lieutenant) position are required to satisfactorily complete a POST-certified Management Course prior to promotion or within 12 months after the initial promotion, appointment, or transfer to such position.

POST Strategic Plan Objective A.2 requires POST staff to analyze the critical duties and related competencies of field supervisors and field managers. POST staff has the necessary skills required to perform these two studies and has begun planning the projects and collecting related job analysis information. However, POST does not have adequate resources

to complete both of these projects. Outside assistance is necessary in completing the two job analyses.

MOTION – Scully, second – Knutson, carried unanimously by ROLL CALL VOTE, to authorize the Executive Director to contract in an amount not to exceed \$300,000.00 with a consulting firm on the State CMAS list or alternatively release a Request for Proposal (RFP) to obtain bids for conducting a job analysis for field supervisors and field managers.

TRAINING PROGRAM SERVICES

H. **Approval of Contract With Los Angeles County Sheriff's Department for the Robert Presley Institute of Criminal Investigation (ICI) Homicide Course.**

Staff reported that this contract will provide \$76,896.00 for four presentations of the Homicide course. It will also provide \$14,518.00 for required equipment to bring this provider in line with ICI presentation standards and the Department of Justice and Sacramento Regional Criminal Justice Training Center homicide classes. Because the Sheriff's Department is using many of its own instructors, the cost of this course is below the usual cost of presentation.

MOTION – Hawkins, second – Knutson, carried unanimously by ROLL CALL VOTE, to authorize the Executive Director to contract with the Los Angeles County Sheriff's Department for four presentations of the ICI Homicide Foundation Specialty course in an amount not to exceed \$91,414.00 for FY 99/00.

I. **Approval of Course Curriculum and Hours for Computer Crime Training**

Assembly Bill 2351, which was chaptered into law in 1998, required that all field and investigative supervisors attend a High Technology Crimes and Computer Seizure training course certified by POST by January 1, 2000, or within 18 months of assignment to supervisory duties. Pursuant to this new law, POST has produced a four-hour course consisting of two, two-hour courses and a workbook.

Staff recommended that the proposed curriculum changes be adopted pursuant to the Administration Procedure Act by using the Notice of Proposed Regulatory Action.

MOTION – Hawkins, second – Scully, carried unanimously to adopt the proposed curriculum for inclusion into Commission Regulation 1081 subject to the results of the proposed Notice of Regulatory Action.

J. Proposed Subscription Service for POST's Satellite Broadcasts

POST will control viewing of the California POST Television Network (CPTN) with activation of the satellite encryption system. POST is purchasing encryption decoders for reimbursable agencies in the POST program. These and all other agencies in the POST program will receive the scrambled CPTN video programming at no charge. For non-POST agencies and for authorized agencies outside of California, encryption offers POST a cost recovery opportunity with subscriptions and increased videotape sales. The coordination of CPTN subscriptions requires full-time professional attention to manage and market the new program effectively. It is recommended that the responsibility for management of the CPTN subscription service be assigned to POST's contract television studio at San Diego State University (KPBS Television) under a subscription revenue-sharing arrangement based on a 60/40 (POST/SDSU) net revenue split.

MOTION – Anderson, second – Knutson, carried unanimously to establish satellite video program subscription fees and authorize the Executive Director to negotiate a contract with San Diego State University for coordination and management of subscription to the California POST Television Network during Fiscal Year 1999/2000.

TRAINING DELIVERY AND COMPLIANCE

K. Policy Concerning Tuition Reimbursement for In-Service EVOC Driver Training

In the early 1980's, the Commission established a policy to provide tuition reimbursement for behind-the-wheel driver training presented as part of the Basic Course. In-service, behind-the-wheel training was, by policy, to be certified for travel and per diem reimbursement only.

Behind-the-wheel driver training is a critical need and is one of the more costly training courses. Various presenters of existing POST-certified Driver Training Update courses are charging a non-reimbursable tuition. The lack of POST reimbursement is an impediment to agencies accessing this needed training. Since the inception of this training, conditions have changed and the Commission is now in a fiscal position to support tuition reimbursement for in-service EVOC training.

MOTION – Hunt, second – Anderson, carried unanimously to authorize tuition reimbursement for in-service EVOC driver training courses.

EXECUTIVE OFFICE

L. Proposed Contracts for FY 99/00

At its January 21, 1999, meeting the Commission authorized negotiations of the following training, standards, and administrative contracts.

Commissioner Knutson requested, and it was agreed, that Item No. 17 be discussed out of sequence.

17. Tools for Tolerance, Simon Wiesenthal Center

In light of the proposed cost of the contract (\$1,556,000.00), Dr. Knutson expressed his concern with respect to the Center's degree of commitment in implementing the changes recommended by the recent AIR Evaluation.

Staff reported that the Simon Wiesenthal Center appears to be fully cooperative and willing to implement the recommended changes. In fact, some items have already been implemented at this time; the Center will submit correspondence to the Commission with regard to those items. In addition, POST staff will monitor the Center and follow up to ensure that all of the recommendations are fully and satisfactorily addressed.

Commissioner Hunt requested, and it was agreed, that Item No. 19 be discussed out of sequence.

19. California State University-Sacramento, to Present Crime analysis Training for Fiscal Year 1999/2000.

The California State University – Sacramento has agreed to develop a "California Crime Analysis Institute" as directed by POST. The Commission approved the initial contract for Fiscal Year 1998/1999 at the January 1999 meeting.

There was a discussion as to whether priority should be given to sworn personnel over civilian personnel for this training. It was noted that this is a new program and, to date, there has not been a waiting list.

Executive Director, Ken O'Brien, stated that POST does not anticipate that there will be a problem furnishing training for both sworn personnel and civilian personnel. He further stated that, if there is a problem, efforts will be made to ensure that both sworn

and civilian crime analysts are accommodated. Chairman TerBorch requested that, for information purposes, staff monitor this program and report back to the Commission.

MOTION – Kolender, second – Knutson, carried unanimously by ROLL CALL VOTE that the Executive Director be authorized to sign the contracts listed below on behalf of the Commission:

Training Contracts

1. Management Course

This course is currently budgeted at \$356,877.00 for 20 presentations spread among four presenters:

- California State University – Humboldt
- California State University – Long Beach
- California State University – San Jose
- San Diego Regional Training Center – San Diego

The proposed amount for Fiscal Year 99/00 is \$479,934.00.

2. San Diego Regional Training Center for Support of Executive Training (e.g., Command College, Executive Training, and Executive Seminars).

The San Diego Regional Training Center serves as the chief contractor for a variety of training activities of the Commission conducted by the Center for Leadership Development. Curriculum development as well as instructional and evaluation costs of these training activities for FY 98/99 were \$139,722.00. The proposed amount for Fiscal Year 99/00 is \$485,397.00.

3. CSU Long Beach for Support of the Supervisory Leadership Institute

The CSU Long Beach Foundation provides administrative services for the Supervisory Leadership Institute. This includes training site support, ordering materials, paying instructors and auditors, and purchasing/maintaining equipment. The proposed amount for Fiscal Year 99/00 is \$929,647.00.

4. Department of Justice Training Center

The Department of Justice has provided training to local law enforcement each year through an interagency agreement with POST since 1974. The proposed amount for Fiscal Year 99/00 is \$1,999,751.00.

5. San Diego State University for 12 Satellite Video Broadcasts
POST Currently has an interagency agreement with San Diego State University for \$108,500.00 for the assembly and transmission of 12 videotape training programs. The proposed amount for Fiscal Year 99/00 is \$110,000.00.
6. Alameda County District Attorney's Office and Golden West College for Case Law Update Video Production
POST currently has contracts with Alameda County District Attorney's Office and Golden West College for \$74,000 for the production of 36 Case Law Update programs each during Fiscal Year 98/99. The proposed amount for Fiscal Year 99/00 is \$74,000.00.
7. Telecourse Programs
POST has a current year contract with San Diego State University (KPBS) to develop and deliver 12 telecourse programs, three specialized videos, numerous scenario videos, and several specialized "edit only" projects. The proposed amount for Fiscal Year 99/00 is \$940,000.00.
8. Master Instructor Program
At its April 1998 meeting, the Commission approved a contract with the San Diego Regional Training Center to provide coordination and presentation support for the Master Instructor Development Program (MIDP). This program is a key element in the Commission's emphasis on improving the quality of instruction for law enforcement. Two MIDP classes, each involving five workshops, are presented annually and overlap fiscal years. Additionally, the contract provides funding for an annual MIDP graduate update workshop. The proposed amount for Fiscal Year 99/00 is \$283,128.00.
9. Robert Presley Institute for Criminal Investigation Contract With the San Diego Regional Training Center for Instructors' Workshops and Presentations of the Core Course
The Commission authorized special training during the last four years for instructors for the Robert Presley Institute of Criminal Investigation (ICI) so that the ICI Core and Foundation Specialty Courses are designed and taught using adult experience-based learning concepts. The San Diego RTC is also one of five presenters of the ICI Core Course. The total amount of the proposed contract is in an amount not to exceed \$350,688.00.

10. Robert Presley Institute of Criminal Investigation With the San Francisco Police Department for Fiscal Year 1999/00
The San Francisco Police Department is one of five providers of the ICI Core Course. The proposed contract is in an amount not to exceed \$117,759.00 for Fiscal Year 1999/00.
11. Robert Presley Institute of Criminal Investigation Contract With the Sacramento Regional Criminal Justice Training Center for Fiscal Year 1999/00.
The Sacramento Regional Criminal Justice Training Center is one of five providers of the ICI Core Course and also presents the ICI Homicide Course. The proposed contract with the Sacramento Regional Criminal Justice Training center for five presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course and four presentations of the Homicide Foundation Specialty Course is in an amount not to exceed \$297,075.00 for Fiscal Year 1999/00.
12. Robert Presley Institute of Criminal Investigation Contract With the Los Angeles Police Department for Fiscal Year 1999/00.
The proposed contract with the Los Angeles Police Department for four presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course is in an amount not to exceed \$102,773.00 for Fiscal Year 1999/00.
13. Robert Presley Institute of Criminal Investigation Contract With San Jose State University of Fiscal Year 1999/00.
San Jose State University is one of five providers of the ICI Core Course. The proposed contract with San Jose State University for five presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course is in an amount not to exceed \$196,168.00 for Fiscal Year 1999/00.
14. Basic Narcotics, Basic Motorcycle, and Basic Academy Driver Training.
The Commission has annually approved contracts for specific presenters of the Basic Narcotics, Basic Motorcycle, and Basic Academy Driver Training. The proposed amount for Fiscal Year 99/00 is \$2,222,658.00.
15. Labor/Management Partnerships Course
The San Diego Regional Training Center holds the contract to present four courses during the current fiscal year for a total amount not to exceed \$87,608.00. The proposed amount for Fiscal Year 99/00 is \$87,608.00.

16. Building High Performance, Inclusive Organizations Diversity Course
The Commission has contracted with the San Diego Regional Training Center for the past five years for presentation of POST's cultural diversity and other diversity course work. The proposed amount for Fiscal Year 99/00 is \$169,582.00.
17. Tools for Tolerance, Simon Wiesenthal Center
This is a request for a fourth year contract with the Museum, contingent upon receiving state funding. The proposed amount for Fiscal Year 99/00 is \$1,556,000.00.
18. Development of Driving Simulator Scenarios
For the past several years, POST has contracted with the Los Angeles County Sheriff's Department for scenario development. The recommendation is to enhance the process by dividing work between scenario developers at the Los Angeles County Sheriff's Department and the San Bernardino County Sheriff's Department. The proposed total amount of both contracts for Fiscal Year 99/00 is \$33,000.00.
19. California State University-Sacramento, to Present Crime Analysis Training for Fiscal Year 1999/2000.
The California State University-Sacramento has agreed to develop a "California Crime Analysis Institute" as directed by POST. The Commission approved the initial contract for Fiscal Year 1998/1999 at the January 1999 meeting. The proposed amount for Fiscal Year 99/00 is \$80,000.00.

Standards Contracts

20. Cooperative Personnel Services for Basic Course Proficiency Exam
POST has contracted with Cooperative Personnel Services for administration of the POST Proficiency Examination since 1984. The proposed contract for Fiscal Year 99/00 is for the amount of \$103,187.00.
21. Cooperative Personnel Services for Entry-Level Reading and Writing Test Battery.
POST has contracted with Cooperative Personnel Services for administration of the POST Entry-Level Reading and Writing Test Battery since 1983. The proposed contract for Fiscal Year 99/00 is for the amount of \$139,270.74.

22. Cooperative Personnel services for PC 832 Written Examination
POST has contracted with Cooperative Personnel Services for administration of the PC 832 Written Examination since 1989. The proposed contract for Fiscal Year 99/00 is for the amount of \$46,527.78.
23. Cooperative Personnel Service for Entry-Level Dispatcher Selection Test Battery.
POST has contracted with Cooperative Personnel Services for administration of the POST Entry-Level Dispatcher Selection Test Battery since 1997. The proposed contract for Fiscal Year 99/00 is for the amount of \$180,000.00.
24. Cooperative Personnel Services for Transition Pilot Program Test Administration
POST has contracted with Cooperative Personnel Services for administration of Transition Pilot Program Testing activities since 1997. The proposed contract for Fiscal Year 99/00 is for the amount of \$54,900.00.

Administrative Contracts

25. State Controller's Office Interagency Agreement for Auditing Services
Each year POST has negotiated an interagency agreement with the State Controller's Office to conduct audits of selected local jurisdictions that receive POST reimbursement funds. It is recommended that the Commission approve an agreement not to exceed \$85,000.00 for Fiscal Year 99/00.
26. Interagency Agreement With Teale Data Center for Computer Services
Each year POST has negotiated an interagency agreement with Teale Data Center (a State agency) for supplemental computer services. The contract provides a link between POST's computer and the Data Center's mainframe computer. This allows data processing jobs and the storage of large data files that require more resources than POST's minicomputer can provide. The proposed amount for services is not to exceed \$65,000.00.
27. CALSTARS Contract
The mandated California State Accounting and Reporting Systems (CALSTARS) requires an agreement with the Health and Welfare Data Center to provide computer linkage and necessary data

processing services. The proposed contract for Fiscal Year 99/00 is in the amount of \$30,000.00.

28. Danka Office Imaging (previously Eastman Kodak) Copier Maintenance Contract

Each year POST must enter into a contract for maintenance of its Kodak copier. The cost of the maintenance agreement is based on a flat rate plus a per copy charge in accordance with a master services agreement developed by the State Department of General Services. The proposed contract for Fiscal Year 99/00 is in the amount of \$16,000.00.

OLD BUSINESS

M. Report of Nominating Committee Concerning Election of Chairman and Vice-Chairman

Commissioner Scully reported that the Committee has nominated Rick TerBorch as Chairman and Bill Kolender as Vice-Chairman.

MOTION – Scully, second – Anderson, carried unanimously that the position of Committee Chairman be held by Rick TerBorch and the position of Vice-Chairman be held by Bill Kolender.

N. Staff Report on Continuing Evaluation and Recommendation Regarding the International Fellowship Program.

The Executive Director reported that staff has developed a survey which is now in the process of being sent to Chiefs throughout the State. The survey sets forth various questions to the Chiefs with reference to identifying a need or desire to participate in this type of program. All information concerning this issue will be given to the members of the Long Range Planning Committee before its next meeting. The Long Range Planning Committee recommendation and report will be presented to the Commission at its July 1999 meeting.

NEW BUSINESS

O. Development of Language to Solidify POST's Role as a Training Agency as Opposed to a Licensing Agency.

Commissioner Hunt requested staff to develop language that will establish POST's role as a training agency as opposed to a licensing agency. This issue will be brought before the Long Range Planning Committee at its next meeting. The Committee recommendation and report will be submitted to the Commission at the July 1999 meeting.

P. Defining and Development of Leadership Component in the Basic Course

Commissioner Hunt stated that he would like to see the leadership role of individuals at the deputy and police officer level more clearly defined. He further stated that he would like to see the development of a leadership component in the Basic Recruit Course as a foundation for the Supervisory, Management, and Command Courses.

In response, the Executive Director reported that the Basic Training Bureau staff is currently attempting to outline the leadership role of individuals at the deputy and police officer level within the framework of their activities in the field. Additionally, he stated that Commissioner Hunt's suggested concept for the leadership course is currently in the process of being researched.

Q. Educational Requirement for Attendance at SLI or Command College

Commissioner Anderson requested staff to explore the possibility of a formal educational requirement for attendance at SLI and the Command College.

R. 1999 College Day

Commissioner Ted Hunt announced that the Los Angeles Police Protective League is presenting College Day on May 20, 1999, at the Los Angeles Police Academy, from 9:00 a.m. to 2:00 p.m. He invited POST staff to present a booth at the event, and further stated that the invitation was extended to any peace officer organization in the State. The purpose of this event is to bring officers and civilians, who wish to return to formal education, together with institutions of higher learning and to expose them to the various programs offered.

S. Commissioners' Attendance at Program Ceremonies

Commissioner Knutson requested that staff periodically furnish the Commissioners with information related to various program ceremonies throughout the State. This will give members of the Commission opportunity to attend such ceremonies and will provide a POST presence at different events.

This request will be acted upon by the Executive Director.

T. **FUTURE COMMISSION MEETINGS**

July 15, 1999, Hilton Hotel, Burbank

November 4, 1999, Flamingo resort Hotel, Santa Rosa

January 27, 2000, Doubletree Hotel, San Diego

April 13, 2000, to be determined.

ADJOURNMENT: 11:15 a.m.

Respectfully submitted,

Anita Martin

Anita Martin
Secretary

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Course Certification/Decertification Report		Meeting Date July 15, 1999
Bureau Training Delivery & Compliance Bureau	Reviewed By Dick Reed, Chief	Researched By Rachel S. Fuentes <i>Rachel S. Fuentes</i>
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 10-7-99	Date of Report June 25, 1999
Purpose <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

In the space provided below, briefly describe the **ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION.** Use additional sheets if required.

The following courses have been certified or decertified since the March 11, 1999 Commission meeting:

CERTIFIED

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
1. Defensive Tactics Instr. Upd.	Placer Co. S.D.	Technical	II*	\$ 320
2. Drug Influence-11550 H&S	Ray Simon CJTC	Technical	IV	6,480
3. Firearms-Tactical Handgun	Stockton P.D.	Technical	IV	40,500
4. COP/Public Safety Dispatcher	Sacramento P.D.	Technical	IV(&Contract)	-0-
5. Burglary Course	Los Angeles P.D.	Technical	III	24,000
6. Specialized Inv. Basic Course	South Bay RTC	Spec. Inv. BC	N/A	-0-
7. COP/Community Oriented Policing	San Bernardino S.D.	Technical	IV	16,000
8. Officer Safety/Field Tactics	Campbell P.D.	Technical	II*	-0-
9. Recruitment/Retention of Workers	Sunnyvale DPS	Supv. Trng.	IV	10,800
10. Arrest & Firearms (P.C. 832)	Col. of the Redwoods (Del Norte)	P.C. 832	IV	-0-
11. Spanish for L.E.-Extended	State Center-Fresno	Technical	N/A	-0-
12. Management Update Sem.	Stanislaus Co. S.D.	Mgmt. Trng.	IV	1,800

*Backfilled approved courses

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
13. Dispatcher Upd, Public Safety	Tracy P.D.	Technical	IV	\$ 2,520
14. Radar Operator	Santa Maria P.D.	Technical	IV	3,816
15. Managing Civil Disobedience	CPOA	Technical	III	7,000
16. Senior Officer Course	Oceanside P.D.	Technical	IV	10,944
17. Training Conference	CA State Parks	Technical	N/A	-0-
18. Sex Offender Tracking/ Registration Enforcement	Los Angeles P.D.	Technical	IV	7,500
19. Narcotics Inv. Update	Los Angeles P.D.	Technical	IV	6,000
20. Skills & Knowledge Modular Training	Fullerton P.D.	Technical	IV	-0-
21. First Aid/CPR	Madera Co. S.D.	Technical	N/A	-0-
22. Skills & Knowledge Modular Training	Madera Co. S.D.	Technical	IV	3,920
23. Officer Safety/Field Tactics Update	El Dorado Co. S.D.	Technical	II*	480
24. Officer Safety/Field Tactics Update	Fresno Co. S.D.	Technical	I*	29,160
25. D.A.R.E. In-Service Wkshp	Los Angeles P.D.	Technical	IV	80,000
26. D.A.R.E. Supervision	Los Angeles P.D.	Technical	IV	-0-
27. Narcotics Unit Supervision	Los Angeles P.D.	Technical	IV	3,000
28. Officer Safety/Field Tactics Update	South Bay RTC	Technical	II*	15,000
29. Crisis/Managing/Resolving	San Jose P.D.	Technical	IV	1,800
30. Training Conference	San Francisco P.D.	Technical	N/A	-0-

*Backfilled approved courses

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
31. Terrorism Update	CA. Spec. Trng. Inst.	Technical	IV	\$ 6,350
32. Basic Course-Trans (Part 2)	Santa Rosa TC	BC - Transition	N/A	-0-
33. Baton Instructor	Alameda Co. S.D.	Technical	II*	22,950
34. CCI-Serial No. Restoration	CCI	Technical	IV	576
35. Baton/Impact Weapons	Fresno P.D.	Technical	II*	28,000
36. Driver Awareness Update	Fresno P.D.	Technical	II*	52,000
37. Canine Handler Update	Fresno P.D.	Technical	II*	52,000
38. Defensive Tactics Update	Fresno P.D.	Technical	II*	52,000
39. Records	Rio Hondo RTC	Technical	IV	4,800
40. Defensive Tactic Instr.-Trans.	Berkeley P.D.	Technical	N/A	-0-
41. Firearms, Tactical Rifle	Ray Simon CJTC	Technical	II*	18,902
42. Firearms, Shotgun Instructor	Ray Simon CJTC	Technical	IV	18,902
43. Bicycle Patrol	Ray Simon CJTC	Technical	IV	4,896
44. Advanced Officer Course	Amador Co. S.D.	AO	IV	1,200
45. Officer Safety/Field Tactics Update	Milpitas P.D.	Technical	II*	200
46. Canine Narcotics Detection Team	CA State Parks	Technical	N/A	-0-
47. Temporary Court Holding Facility	Newark P.D.	Technical	IV	600
48. Field Training Officer Update	Sacramento RCJTC	Technical	II*	15,360
49. SWAT - Advanced	FBI - Sacramento	Technical	IV	2,080
50. Driver Training Update	Kern Co. S.D.	Technical	II*	7,200

*Backfill approved courses

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
51. Crime Scene Investigation	Lassen College	Technical	IV	\$ 1,200
52. Gangs - Cal-Gang Computer	Hayward P.D.	Technical	IV	28,590
53. Cal-Gang - Instructor	Hayward P.D.	Technical	IV	3,200
54. Hostage Rescue	Riverside P.D.	Technical	IV	1,000
55. Skills & Knowledge Modular Training	Bell Gardens P.D.	Technical	IV	7,680
56. Rifle Marksmanship/Sniper	Ontario P.D.	Technical	IV	4,500
57. COP/Neighborhood Revitalization	Sacramento P.D.	Technical	IV	-0-
58. Child Abuse Update	Riverside Co. S.D.	Technical	IV	1,200
59. Network Communications	Riverside Co. S.D.	Technical	IV	14,000
60. Skills & Knowledge Modular Training	Rialto P.D.	Technical	IV	5,000
61. Skills & Knowledge Modular Training	Upland P.D.	Technical	IV	-0-
62. Crowd Control Update	El Dorado Co. S.D.	Technical	II*	4,800
63. Radar Operator	Yuba College	Technical	IV	2,160
64. Special Weapons & Tactics Update, Advanced	Sierra College	Technical	IV	2,822
65. Baton/Impact Weapons Upd.	El Dorado Co. S. D.	Technical	II*	3,840
66. Communications Training Officer	SHASCOM	Technical	IV	480
67. Computer Crimes/Child Exploitation	Search Group, Inc.	Technical	III	164,032
68. Computer Crimes/LAN Inv.	Search Group, Inc.	Technical	III	88,544

*Backfilled approved courses

CERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
69.	Skills & Knowledge Modular Training	Orange P.D.	Technical	IV	\$ 8,640
70.	Firearms/Tactical Handgun	Fresno P.D.	Technical	II*	104,000
71.	Background Investigation	State Center-Fresno	Technical	IV	13,000
72.	Crime Scene Investigation (Photography)	Riverside Co. S.D.	Technical	IV	3,000
73.	Fingerprint, Spec. Techniques Latent	Riverside Co. S.D.	Technical	IV	1,500
74.	Domestic Violence for FTO's	San Diego RTC	Technical	II*	75,000
75.	Warrant Service - High Risk Update	Riverside P.D.	Technical	IV	1,000
76.	Dispatcher Orientation Update	Yolo Co. Communications	Technical	N/A	-0-
77.	Skills & Knowledge Modular Training	Yolo Co. Communications	Technical	IV	-0-
78.	Less Lethal Weapons	Fresno P.D.	Technical	II*	56,000
79.	Crime Scene/Shoe/Tire Impressions	Grossmont College	Technical	IV	1,500
80.	Driver Training Update	Fresno P.D.	Technical	II*	43,520
81.	SWAT Observer/Sniper Tactics	FBI, Sacramento	Technical	IV	3,200
82.	Skills & Knowledge Modular Training	Health Services-F&D	Technical	IV	-0-
83.	Criminal Intelligence for Executive	DOJ Training Center	Technical	IV (w/Contract)	1,920
84.	Crime Prevention-Senior/Volunteers	Yuba College	Technical	N/A	-0-

*Backfill approved courses

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
85. Driver Training Simulator	College of the Siskiyou	Technical	I*	\$ 2,630
86. Interview & Interrogation	State Center-Fresno	Technical	II*	6,480
87. Firearms/Trafficking	U.S. Attorney's Office	Technical	IV	24,000
88. Environmental Crimes	Air Resource Board	Technical	IV	1,800
89. Child Abuse Inv.	San Diego P.D.	Technical	IV	3,156
90. Skills & Knowledge Modular Training	Elk Grove Unified School Dist. P.D.	Technical	IV	-0-
91. Leadership Effectiveness	BART P.D.	Technical	N/A	-0-
92. Boating: Safety Enforcement	Riverside Co. S.D.	Technical	IV	1,000
93. Crime Scene/Videotaping, Advanced	National Police Video	Technical	III	16,290
94. Media Relations Advanced	FBI, San Francisco	Technical	IV	15,840
95. Dispatcher Update	East Bay RPPD	Technical	IV	1,120
96. Women/Policing-Issues/ Concepts	CPOA	Technical	III	12,000
97. Tactical Communications	Glendora P.D.	Technical	II*	3,690
98. Community Service Officer	Yuba College	Technical	IV	2,304
99. Skills & Knowledge Modular Training	Monrovia P.D.	Technical	IV	7,680
100. Domestic Violence: Primary Aggressor Instructor	L.A. City Attorney	Technical	IV	3,900
101. Crime Scene Inv.-Processing Evidence	Riverside Co. S.D.	Technical	IV	2,200

*Backfill approved courses

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
102. Use of Force Update	Monterey Park P.D.	Technical	IV	\$ 6,150
103. Hate Crime Facilitator(T-T)	Los Angeles P.D.	Technical	IV	400
104. Use of Force Update	Fresno P.D.	Technical	I*	152,600
105. Community Oriented Policing	Irvine P.D.	Technical	IV	1,800
106. Firearms/Survival Shooting Instructor	Ray Simon CJTC	Technical	IV	18,902
107. - 142.	There were 35 additional IVD courses certified as of 6-25-99. To date, 201 IVD certified presenters have been certified and 776 IVD courses certified.			
143. - 154.	There were 11 additional Telecourses certified as of 6-25-99. To date, 436 Telecourse presenters have been certified.			
155. - 157.	There were two additional Proposition 115 Hearsay Evidence Testimony Course Presenters certified as of 6-25-99. Presentation of this course is generally done using a copy of POST Proposition 115 Video Tape. To date, 296 presenters of Proposition 115 have been certified.			

DECERTIFIED

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
1. Inv. & Trial Prep (D.A.-Basic).	Los Medanos College	Technical	IV
2. Firearms Instructor Update	Sacramento D.A. Office	Technical	IV
3. Instructor Development	Stanislaus Co. S.D.	Technical	IV
4. Gang Awareness Update	Stanislaus Co. S.D.	Technical	II*
5. Mounted Patrol Update	Stanislaus Co. S.D.	Technical	IV
6. Bicycle Patrol	Stanislaus Co. S.D.	Technical	IV
7. Search Warrant and Arrest	Stanislaus Co. S.D.	Technical	IV

*Backfill approved courses

DECERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
8. Media Relations	Stanislaus Co. S.D.	Technical	IV
9. Legislative Update	Modesto P.D.	Technical	IV
10. Gang Awareness Update	Modesto P.D.	Technical	II*
11. Mounted Patrol Update	Modesto P.D.	Technical	IV
12. Firearms/Semi-auto Pistol	Modesto P.D.	Technical	IV
13. Traffic Collision Inv.	Modesto P.D.	Technical	IV
14. Advanced Officer Course	Ray Simon CJTC	AO	IV
15. Driver Trng.- Simulator Instr.	Ray Simon CJTC.	Technical	II*
16. Drug Examination Update	Ray Simon CJTC	Technical	IV
17. Firearms/Semi-Auto Pistol	Ray Simon CJTC	Technical	IV
18. Armorer School - Long Guns	Ray Simon CJTC	Technical	IV
19. Domestic Violence Update	Ray Simon CJTC	Technical	N/A
20. Child Passenger Restraint Instructor	Ray Simon CJTC	Technical	IV
21. Advanced Officer Course	College of the Desert	AO	IV
22. Training Conference	Redding P.D.	Technical	N/A
23. Firearms/Semi-Auto Pistol	San Diego P.D.	Technical	IV
24. Managing the Dispatch Unit	Justice Training Institute	Mgmt. Trng.	III
25. Skills & Knowledge Modular Training	South Lake Tahoe P.D.	Technical	IV
26. ARJIS Train-the-Trainer	San Diego Reg. PSTI	Technical	IV
27. COP/Community Oriented Policing	San Diego Reg. PSTI	Technical	IV
28. Leadership Effectiveness Seminar	San Diego P.D.	Supv. Trng.	

Backfill approved courses

DECERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
29. Supervisory Update	San Diego P.D.	Supv. Trng.	IV
30. Problem Oriented Policing - Supv.	San Diego P.D.	Supv. Trng.	IV
31. Media Relations Update	Buena Park P.D.	Technical	IV
32. Skills & Knowledge Modular Training	Coronado P.D.	Technical	IV
33. Skills & Knowledge Modular Training	Lake Tahoe College	Technical	N/A
34. Reserve Training Module C	Grossmont College	Basic-Reserve	N/A
35. Firearms/Semi-Auto Pistol	Grossmont College	Technical	IV
36. Tracking, Wilderness	Grossmont College	Technical	IV
37. Defensive Tactics, Advanced	FBI, San Diego	Technical	IV
38. Criminal Inv. Analysis	FBI, San Diego	Technical	IV
39. Environmental Crimes Inv.	FBI, San Diego	Technical	IV
40. Environmental Crimes-Intro	FBI, San Diego	Technical	IV
41. Defensive Tactics Instructor	FBI, San Diego	Technical	II*
42. Management Training Seminar	FBI, San Diego	Mgmt. Trng.	IV
43. Sex Harassment: Prev Strategy	Imperial Co. S.D.	Supv. Trng.	IV
44. Drug Trafficker Interdiction	Imperial Co. S.D.	Technical	IV
45. Driver Awareness Update	Santa Ana College	Technical	II*
46. Haz. Materials - 1 st Responder	Culver City P.D.	Technical	N/A
47. Haz. Materials - Operations	Culver City P.D.	Technical	IV
48. Firearms/Semi-Auto Pistol	Golden West College	Technical	IV

*Backfill approved courses

DECERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
49. Incident Command System	Golden West College	Mgmt. Trng	IV
50. Reserve Training Module B	College of the Redwoods	Basic-Reserve	N/A
51. Supervising Update	Santa Rosa Center	Supv. Trng.	IV
52. Reserve Training Module C	Imperial Valley College	Basic-Reserve	N/A
53. Reserve Training Module B, C	Imperial Valley College	Basic-Reserve	N/A
54. Bicycle Patrol	Port Hueneme P.D.	Technical	IV
55. Bicycle Patrol	Anaheim P.D.	Technical	IV
56. Street Gang Update	U.S. DEA, San Diego	Technical	IV
57. Reserve Training Module C	Sierra College	Basic-Reserve	N/A
58. Contemporary Mgmt of Criminal Inv.	San Diego RTC	Mgmt. Trng.	III
59. Patrol Operations Management	San Diego RTC	Mgmt. Trng.	III
60. Police Management Seminar, Adv.	San Diego RTC	Mgmt. Trng.	III
61. Skills & Knowledge Modular Training	Fountain Valley P.D.	Technical	IV
62. Physical Training, Instructor Training	Golden West College	Technical	IV
63. Spanish for L.E., Part III	Ventura College	Technical	N/A
64. Spanish for L.E., Part II	Ventura College	Technical	N/A
65. Spanish for L.E. - Basic	Ventura College	Technical	N/A
66. Cultural Awareness	Nat. Conf. Com.& Justice	Technical	IV
67. School Resource Officer	Merced College	Technical	IV
68. Reserve Training Module C	Tulare-Kings Co. Peace Officer Training Academy	Basic-Reserve	N/A

*Backfill approved courses

DECERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
69. Reserve Training Module D	Tulare-Kings Co. Peace Officer Training Academy	Basic-Reserve	N/A
70. Reserve Training Module B	Tulare-Kings Co. Peace Officer Training Academy	Basic-Reserve	N/A
71. Arrest & Firearms (P.C. 832)	Tulare Co. S.D.	P.C. 832	IV
72. Canine Narc. Detection Team	State Center-Fresno	Technical	IV
73. Reserve Training Module B	Porterville LETC	Basic-Reserve	N/A
74. Officer Update	Porterville LETC	Technical	IV
75. Training Conference	National Association of Field Training Officer	Technical	N/A
76. Canine Team Evaluator's Course	Orange Co. S.D.	Technical	IV
77. Inv. Technology for L.E.	Orange Co. S.D.	Technical	IV
78. Aviation Security (P.C. 832.1)	Orange Co. S.D.	P.C. 832.1	IV
79. Officer Update	Orange Co. S.D.	Technical	IV
80. Inv. Technology-Administrators	Orange Co. S.D.	Technical	IV
81. Instructor Development	Sacramento RCJTC	Technical	IV
82. Dispatcher, Med. Emer. Pub. Safety	Sacramento RCJTC	Technical	IV
83. Crime Prevention-Electronic Security	Sacramento RCJTC	Technical	IV
84. Crime Prevention-Program Dev.	Sacramento RCJTC	Technical	IV
85. Crime Prevention-Commercial/ Violence	Sacramento RCJTC	Technical	IV
86. Bloodstain Pattern Analysis	Sacramento RCJTC	Technical	III
87. Firearms/Semi-Auto Pistol	Sacramento RCJTC	Technical	IV

*Backfill approved courses

DECERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
88. Baton Instructor-Expandable	Santa Barbara P.D.	Technical	II*
89. Training Conference	Asian Peace Officers' Assoc	Technical	N/A
90. Performance Enabling Workshop	Dr. David E. Hartl/General	TBW	III
91. Firearms Instr.-Survival Shooting	Alameda Co. S. D.	Technical	IV
92. Firearms/Semi-Auto Pistol	Alameda Co. S. D.	Technical	IV
93. Supervisory Update	Alameda Co. S. D.	Supv. Trng.	IV
94. Reserve Training Module B	Alameda Co. S. D.	Basic-Reserve	N/A
95. Reserve Training Module C	Alameda Co. S. D.	Basic-Reserve	N/A
96. Tactical Communications	Barstow P. D.	Technical	II*
97. Skills & Knowledge Modular Training	Barstow P. D.	Technical	IV
98. Radar Operator/Stationary	Milpitas P. D.	Technical	IV
99. Radar Operator	Milpitas P. D.	Technical	IV
100. Reserve Training Module B	San Mateo College	Basic-Reserve	N/A
101. Reserve Training Module C	San Mateo College	Basic-Reserve	N/A
103. Arrest & Firearms (P.C. 832)	Gavilan College	P.C. 832	IV
104. Reserve Training Module B	Gavilan College	Basic-Reserve	N/A
105. Reserve Training Module C	Gavilan College	Basic-Reserve	N/A
106. Warrant Service, High Risk Update	Palo Alto P.D.	Technical	IV
107. Baton Instructor-Expandable	South Bay RTC	Technical	II*
108. Baton Instructors Update	South Bay RTC	Technical	II*
109. Arrest & Firearms-Interactive	South Bay RTC	P.C. 832	IV

*Backfill approved courses

DECERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
110. Reserve Training Module B	South Bay RTC	Basic-Reserve	N/A
111. Reserve Training Module C	South Bay RTC	Basic-Reserve	N/A
112. Reserve Training Module A,B,C	South Bay RTC	Basic-Reserve	N/A
113. Firearms/Semi-Auto Pistol	Martinez Adult School	Technical	IV
114. Advanced Officer Course	Martinez Police Department	AO	IV
115. Skills & Knowledge Modular Training	Martinez Police Department	Technical	IV
116. Cultural Awareness	East Bay RPD	Technical	IV
117. Training Conference	Office of Criminal Justice Planning	Technical	N/A
118. Skills & Knowledge Modular Training	CA Senate-Sergeant-at-Arms	Technical	IV
119. Defensive Tactics Update	Sacramento Co. S. D.	Technical	N/A
120. Firearms/Semi-Auto Pistol	Sacramento Co. S. D.	Technical	IV
121. Reserve Training Module A,B,C	Sacramento Co. S. D.	Technical	N/A
122. Cultural Awareness Instructor	Sacramento Co. S. D.	Technical	N/A

TOTAL CERTIFIED	<u>106</u>
TOTAL PROPOSITION 115 CERTIFIED	<u>2</u>
TOTAL TELECOURSES CERTIFIED	<u>11</u>
TOTAL IVD COURSES CERTIFIED	<u>37</u>
TOTAL DECERTIFIED	<u>122</u>
TOTAL MODIFICATIONS	<u>168</u>

3,356 Skills & Knowledge Modules certified as of 6-25-99
776 IVD Courses as of 6-25-99
436 Telecourses as of 6-25-99
2,612 Other Courses certified as of 6-25-99
764 Certified Presenters

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Course Certification/Decertification Report		Meeting Date October 28, 1999
Bureau Training Delivery & Compliance Bureau	Reviewed By Dick Reed, Chief <i>[Signature]</i>	Researched By Rachel S. Fuentes <i>[Signature]</i>
Executive Director Approval <i>[Signature: Kenneth J. O'Brien]</i>	Date of Approval 10/8/99	Date of Report October 8, 1999
Purpose <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

In the space provided below, briefly describe the **ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION**. Use additional sheets if required.

The following courses have been certified or decertified since the March 11, 1999 Commission meeting:

CERTIFIED

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
1. Gang Awareness Update.	Ray Simon CJTC	Technical	II*	\$ 18,902
2. Skills & Knowledge Modular Training	Office of Emergency Services	Technical	IV	-0-
3. Stress Management	Riverside Co. S.D.	Technical	IV	2,000
4. FTO Update	Sacramento P.D.	Technical	II*	2,000
5. Stress Management	San Francisco P.D.	Technical	IV	10,752
6. Skills & Knowledge Modular Training	Kerman P.D.	Technical	IV	3,920
7. Background Inv. Update	Sacramento Reg. CJTC	Technical	IV	10,240
8. Tactical Operations	San Diego Co. S.D.	Technical	IV	10,120
9. Reserve Training Module C	Sacramento Co. S.D.	Basic-Reserve	N/A	-0-
10. Defensive Tactics Update	CA Dept. of P&R	Technical	II*	-0-
11. Surveillance Techniques	Ventura Co. S.D.	Technical	IV	5,240
12. Presentation Skills	South Bay RTC	Technical	IV	960

*Backfilled approved courses

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
13. Problem-Oriented Policing	Tracy P.D.	Supv. Trng.	IV	\$ 3,240
14. Financial Forensics Inv.	San Bernardino S.D.	Technical	IV	30,000
15. Driver Training (EVOC) Update	Alameda Co. S.D.	Technical	I*	111,200
16. SEMS/Disaster Tactical Refresher - Managers	D-Prep LLC	Mgmt. Trng.	III	14,400
17. Driver Training-Simulator	Butte College	Technical	I*	43,200
18. Reserve Training Module B,C	Rio Hondo RTC	Basic-Reserve	N/A	-0-
19. Radar Operator	San Bernardino S.D.	Technical	IV	8,000
20. Field Training Officer Update	Ventura Co. CJTC	Technical	II*	12,220
21. Wellness	South Bay RTC	Supv. Trng.	N/A	-0-
22. Radar - Laser Instructor	Folsom P.D.	Technical	IV	1,152
23. Supervisory Update	Ontario P.D.	Technical	IV	1,600
24. Crime Scene Investigation	Lassen College	Technical	IV	1,200
25. Gang Awareness Update	Woodland P.D.	Technical	II*	400
26. Canine Handler Update	Butte College	Technical	II*	12,780
27. Leadership Effectiveness	San Diego Reg. PSTII	Supv. Trng.	IV	33,840
28. Surveillance Techniques	San Diego Reg. PSTI	Technical	IV	9,024
29. Instructor Development	San Diego Reg. PSTI	Technical	IV	16,920
30. Gang Awareness Update	Stockton P.D.	Technical	II*	2,024
31. Level III Modular Training	Porterville LETC	BC-Modular Format	N/A	-0-
32. Defensive Tactics Instructor Update	Los Altos P.D.	Technical	II*	1,350

*Backfilled approved courses

CERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
33.	Cultural Awareness	Garden Grove P.D.	Technical	IV	\$ 6,240
34.	Skills & Knowledge Modular Training	Oxnard P.D.	Technical	N/A	-0-
35.	Skills & Knowledge Modular Training	Siskiyou Co. S.D.	Technical	N/A	-0-
36.	Sign Language for Emer. Personnel	San Diego P.D.	Technical	IV	3,900
37.	Law Enforcement in Schools	Fresno Co. S.D.	Technical	IV	5,600
38.	Level III Modular Training	Martinez Adult School	BC-Modular Format	N/A	-0-
39.	Firearms - Tactical Rifle	Chabot College	Technical	II*	1,280
40.	Leadership Development	Santa Ana College	Technical	IV	9,990
41.	Firearms/Tactical Rifle	Santa Ana P.D.	Technical	II*	25,000
42.	Level III Modular Training	Victor Valley College	BC-Modular Format	N/A	-0-
43.	Officer Safety/Field Tactics Update	San Bernardino P.D.	Technical	II*	10,800
44.	Management Update Seminar	Riverside Co. S.D.	Mgmt. Trng.	IV	3,200
45.	Crime Scene Reconstruction	San Jose P.D.	Technical	IV	4,800
46.	Environmental Crimes/Border	San Diego P.D.	Technical	IV	1,050
47.	Less Lethal Force	Long Beach P.D.	Technical	II*	2,250
48.	Skills & Knowledge Modular Training	Long Beach P.D.	Technical	IV	7,680
49.	Mobile Field Force Training	Los Angeles P.D.	Technical	IV	56,000
50.	Mobile Field Force Training for Supervisors	Los Angeles P.D.	Supv. Trng.	IV	27,000

*Backfill approved courses

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
51. Community Oriented Policing	Riverside Co. S.D.	Technical	IV	\$ 3,600
52. Firearms/Shotgun Transition	San Bernardino P.D.	Technical	N/A	-0-
53. Level III Modular Training	Ventura College	BC-Modular Format	N/A	-0-
54. Level II Modular Training	Ventura College	BC-Modular Format	N/A	-0-
55. Basic Course	San Jose P.D.	Basic Course	IV	-0-
56. Level III Modular Training	El Camino College	BC-Modular Format	N/A	-0-
57. Defensive Tactics Instructor	CPOA	Technical	I*	79,488
58. Use of Force Investigation	Inyo Co. S.D.	Technical	IV	1,400
59. Hate Crimes	Sacramento P.D.	Technical	IV	7,200
60. Conflict Management	Shasta Co. S.D.	Technical	IV	1,052
61. Level II Modular Training	San Bernardino S.D.	BC-Modular Format	N/A	-0-
62. Level III Modular Training	San Bernardino S.D.	BC-Modular Format	N/A	-0-
63. Interview & Interrogation Techniques	San Diego Co. S.D.	Technical	II*	23,520
64. Inv. Upd.-Prof. Sex. Offenders	Riverside Co. S.D.	Technical	N/A	-0-
65. Dispatcher, Public Safety Advanced	Marin Co. S.D.	PS Dispatcher	IV	8,924
66. Skills & Knowledge Modular Training	Brisbane P.D.	Technical	IV	500
67. Training Conference	La Mesa P.D.	Technical	N/A	-0-
68. Level II Modular Training	Monterey Peninsula College	BC-Modular Format	N/A	-0-
69. Level III Modular Training	Monterey Peninsula College	BC-Modular Format	N/A	-0-

*Backfilled approved courses

CERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
70.	Level I Modular Training	Monterey Peninsula College	BC-Modular Format	N/A	\$ -0-
71.	Officer Safety/Field Tactics Update	Santa Clara P.D.	Technical	II*	2,500
72.	Officer safety/Field Tactics Update	San Jose P.D.	Technical	II*	-0-
73.	Gangs - Cal Gang Computer System	Santa Barbara P.D.	Technical	IV	9,720
74.	Firearms/Long Rifle Supv.	Golden West College	Technical	IV	2,160
75.	Officer Safety & Field Tactics	Ray Simon CJTC	Technical	II*	27,000
76.	CCI-Technical Writing	CA Crim. Institute	Technical	IV	576
77.	Level III Modular Training	Santa Rosa T. C.	BC-Modular Format	N/A	-0-
78.	Level III Modular Training	Allan Hancock College	BC-Modular Format	N/A	-0-
79.	Air Crew Course	Fresno P.D.	Technical	III	10,368
80.	Bloodstain Pattern Analysis Advanced	Los Angeles P.D.	Technical	IV	
81. - 93.	There were 13 additional IVD courses certified as of 10-1-99. To date, 204 IVD certified presenters have been certified and 789 IVD courses certified.				
94. - 100.	There were 7 additional Telecourses certified as of 10-1-99. To date, 443 Telecourse presenters have been certified.				
None	There were no additional Proposition 115 Hearsay Evidence Testimony Course Presenters certified as of 10-1-99. Presentation of this course is generally done using a copy of POST Proposition 115 Video Tape. To date, 296 presenters of Proposition 115 have been certified.				

*Backfill approved courses

DECERTIFIED

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
1. Disaster Planning	Sacramento P.D.	Technical	IV
2. Training Conference	CA Criminal Justice Warrant Service Association	Technical	N/A
3. Instructor Development	Sacramento P.D.	Technical	IV
4. Commercial Vehicle Enforcement	Los Angeles Co. S.D.	Technical	IV
5. Career/Ethics Integrity	Los Angeles Co. S.D.	Technical	IV
6. Sex Harassment: Prev. Strategy	Los Angeles Co. S.D.	Technical	IV
7. Defensive Tactics, Update	Burbank P.D.	Technical	N/A
8. Critical Incident-Tactical Com.	FBI - San Francisco	Supv. Trng.	IV
9. Bicycle Patrol Maintenance	UC, San Diego P.D.	Technical	IV
10. Advanced Officer	Long Beach P.D.	AO	IV

TOTAL CERTIFIED	<u>80</u>
TOTAL PROPOSITION 115 CERTIFIED	<u>0</u>
TOTAL TELECOURSES CERTIFIED	<u>7</u>
TOTAL IVD COURSES CERTIFIED	<u>13</u>
TOTAL DECERTIFIED	<u>10</u>
TOTAL MODIFICATIONS	<u>124</u>

3,476 Skills & Knowledge Modules certified as of 10-1-99
789 IVD Courses as of 10-1-99
443 Telecourses as of 10-1-99
2,682 Other Courses certified as of 10-1-99
768 Certified Presenters

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title NEW AGENCY - Solano Community College District Police Department		Meeting Date July 15, 1999
Bureau Training Delivery and Compliance	Reviewed By Dick Reed, Chief <i>[Signature]</i>	Researched By Bob Spurlock <i>[Signature]</i>
Executive Director Approval <i>[Signature: Kenneth J. O'Brien]</i>	Date of Approval 4-5-99	Date of Report March 10, 1999
Purpose <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the **ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION**. Use additional sheets if required.

ISSUE

The Solano Community College District Police Department is seeking entry into the POST Regular (Reimbursable) Program on behalf of its peace officers.

BACKGROUND

The department's officers are appointed pursuant to Section 830.32(a) of the Penal Code. Suitable background and other provisions of the Government Code regarding selection standards have been met.

ANALYSIS

The police department currently employs eight peace officers.

Fiscal impact for reimbursement of training will cost approximately \$4,000 per year.

RECOMMENDATION

The Commission be advised that the Solano Community College District Police Department has been admitted into the POST Regular (Reimbursable) Program consistent with Commission Policy.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title NEW AGENCY - Southwestern College		Meeting Date October 28, 1999
Bureau Training Delivery and Compliance	Reviewed By Dick Reed, Chief <i>DR</i>	Researched By Bob Spurlock <i>Bob Spurlock</i>
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval <i>8-19-99</i>	Date of Report October 16, 1999
Purpose <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the **ISSUE**, **BACKGROUND**, **ANALYSIS**, and **RECOMMENDATION**. Use additional sheets if required.

ISSUE

The Southwestern College is seeking entry into the POST Regular (Reimbursable) Program on behalf of its peace officers.

BACKGROUND

The department's officers are appointed pursuant to Section 830.32(a) of the Penal Code. Suitable background and other provisions of the Government Code regarding selection standards have been met.

ANALYSIS

The police department currently employs 10 peace officers.

Fiscal impact for reimbursement of training will cost approximately \$5,000 per year.

RECOMMENDATION

The Commission be advised that the Southwestern College has been admitted into the POST Regular (Reimbursable) Program consistent with Commission Policy.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title NEW AGENCY - Long Beach Community College District Police Department		Meeting Date October 28, 1999
Bureau Training Delivery and Compliance	Reviewed By Dick Reed, Chief <i>[Signature]</i>	Researched By Bob Spurlock <i>[Signature]</i>
Executive Director Approval <i>[Signature: Kenneth J. O'Brien]</i>	Date of Approval 10/8/99	Date of Report October 4, 1999
Purpose <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the **ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION**. Use additional sheets if required.

ISSUE

The Long Beach Community College District Police Department is seeking entry into the POST Regular (Reimbursable) Program on behalf of its peace officers.

BACKGROUND

The department's officers are appointed pursuant to Section 830.32(a) of the Penal Code. Suitable background and other provisions of the Government Code regarding selection standards have been met.

ANALYSIS

The police department currently employs 22 peace officers.

Fiscal impact for reimbursement of training will cost approximately \$11,000 per year.

RECOMMENDATION

The Commission be advised that the Long Beach Community College District Police Department has been admitted into the POST Regular (Reimbursable) Program consistent with Commission Policy.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title NEW AGENCY - California State University Channel Island Police Department		Meeting Date October 28, 1999
Bureau Training Delivery and Compliance	Reviewed By Dick Reed, Chief <i>D. W. Reed</i>	Researched By Bob Spurlock <i>Bob Spurlock</i>
Executive Director Approval <i>Kenneth J. DeBrien</i>	Date of Approval	Date of Report October 12, 1999
Purpose <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

The California State University Channel Islands Police Department is seeking entry into the POST Regular (Reimbursable) Program.

BACKGROUND

The officers are appointed pursuant to Section 830.2(d) of the Penal Code. Applicable selection standards have been met and the required resolution enacted.

ANALYSIS

The police department currently employs four peace officers.

Fiscal impact for reimbursement of training will cost approximately \$2,000 per year.

RECOMMENDATION

The Commission be advised that the California State University Channel Islands Police Department has been admitted into the POST Regular (Reimbursable) Program consistent with Commission Policy.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Public Safety Dispatcher Program		Meeting Date July 15, 1999
Bureau Training Delivery & Compliance Bureau	Reviewed By Dick Reed, Chief <i>[Signature]</i>	Researched By Bob Spurlock <i>[Signature]</i>
Executive Director Approval <i>[Signature: Kenneth J. O'Brien]</i>	Date of Approval 6-4-99	Date of Report May 27, 1999
Purpose <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

In the space provided below, briefly describe the **ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION**. Use additional sheets if required.

ISSUE

Acceptance of agencies into the Public Safety Dispatcher Program.

BACKGROUND

The agencies shown on the attached list have requested participation in the POST Reimbursable Public Safety Program pursuant to Penal Code Sections 13510(c) and 13525. The agencies have expressed willingness to abide by POST Regulations and have passed ordinances as required by Penal Code Section 13522.

There are currently 357 agencies participating in the program.

ANALYSIS

All of the agencies presently employ full-time dispatchers. The agencies have established minimum selection and training standards which equal or exceed the standards adopted for the program. There will be no fiscal impact on the POST budget.

RECOMMENDATION

The Commission be advised that the subject agencies have been accepted into the POST Reimbursable Public Safety Dispatcher Program consistent with Commission policy.

NEW AGENCIES IN THE PUBLIC SAFETY DISPATCHER PROGRAM

April 1, 1999 - June 30, 1999

Name

Ord/Res/Letter

Entry Date

San Bernardino City Unified School Dist. Police Dept.
Colusa County Sheriff's Department

Resolution
Ordinance No. 622

5-1-99
March 30, 1999

There are currently 357 agencies participating in the program.

5-27-99

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Riverside County Coroner's Office -Withdrawal from POST Regular (Reimbursable) Program		Meeting Date July 15, 1999
Bureau Training Delivery & Compliance Bureau	Reviewed By Dick Reed, Chief <i>D. W. Reed</i>	Researched By <i>Robert Spurlock</i> Bob Spurlock
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval <i>6-4-99</i>	Date of Report May 25, 1999
Purpose <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

The Riverside County Coroner's Office has been merged with the Riverside County Sheriff's Department as a result of a reorganization of county government. The effective date was December 31, 1998.

BACKGROUND

The Department is no longer eligible for POST membership. Documentation from Scotty Hill, Riverside County Coroner's Office, has been received advising POST of that fact.

ANALYSIS

The department had seven sworn officers.

This change will have no impact on the POST budget.

RECOMMENDATION

The Commission be advised that the Riverside County Coroner's Office has been removed from the POST Regular (Reimbursable) Program.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title ETHICS ORIENTATION FOR COMMISSIONERS - FPPC FILERS		Meeting Date July 15, 1999
Bureau Administrative Services Bureau	Reviewed By <i>On</i> Frederick Williams, Chief	Researched By Karen Cramer
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 6-25-99	Date of Report June 25, 1999
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

In accord with a new state law, POST must provide an ethics orientation course.

BACKGROUND

Government Code Sections 11146-11146.4 (Attachment A) requires that state departments provide an ethics orientation course for all current and new filers of statements of economic interest. This includes the Commissioners. POST must provide the course for current Commissioners no later than December 31, 1999.

The Fair Political Practices Commission (FPPC) has worked with the Attorney General's Office and with the Department of Personnel Administration to provide both an Internet and a video version of the core material for the course. Each department is to determine: if they need to supplement the core with information relevant to the department, and how they will provide the orientation to filers. To affirm that the course will satisfy the legal requirement, each department must consult with the FPPC and with the Attorney General's Office before providing the orientation.

As individual filers participate in the orientation course, POST must record for public record that the filer has satisfied the legal mandate. Departments must maintain these records for five years.

ANALYSIS

POST staff have reviewed both the video and the Internet versions. Each appears to satisfy the ethics orientation needs for POST. Either version should require less than two hours to complete. Both versions cover the same material. The course content plus information about how to use the Internet site are enclosed as Attachment B.

POST will provide filers with the Internet information and with the video for private viewing at the time most convenient to them. A self-certification form will be included, allowing filers to indicate when and how they viewed the orientation. The completed forms will be maintained at POST for the five-year period.

RECOMMENDATION

Item submitted for information and consideration by the Commission.

GOVERNMENT CODE

SECTION 11146-11146.4

Attachment A - Law

11146. For purposes of this article, the following terms have the following meanings:

(a) "State agency" has the same meaning as set forth in Section 82049, but does not include the Legislature.

(b) "Filer" means each member, officer, or employee of a state agency who satisfies both of the following requirements:

(1) The person holds any one of the following positions with the agency: an elected office, a position that is exempt from civil service, a career executive assignment, the position of executive director or its equivalent, or the position of general counsel or its equivalent.

(2) The person is required to file a statement of economic interests under either Article 2 (commencing with Section 87200) or Article 3 (commencing with Section 87300) of Chapter 7 of Title 9 because of the position he or she holds with the agency.

11146.1. Each state agency shall offer at least semiannually to each of its filers an orientation course on the relevant ethics statutes and regulations that govern the official conduct of state officials.

11146.2. Each state agency shall maintain records indicating the specific attendees, each attendee's job title, and dates of their attendance for each orientation course offered pursuant to Section 11146.1 for a period of not less than five years after each course is given. These records shall be public records subject to inspection and copying consistent with subdivision (a) of Section 81008 and otherwise subject to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1).

11146.3. Except as set forth in Section 11146.4, each filer shall attend the orientation course required in Section 11146.1, as follows:

(a) For filers who hold a position with the agency on January 1, 1999, not later than December 31, 1999, and at least once during each consecutive two calendar years thereafter.

(b) For persons who become a filer with the agency after January 1, 1999, within six months after they become a filer and at least once during each consecutive two calendar years thereafter.

11146.4. (a) The requirements of Section 11146.3 shall not apply to filers with a state agency who have taken an equivalent ethics orientation course through another state agency or the Legislature within the time periods set forth in subdivision (a) or (b) of Section 11146.3, as applicable.

(b) State agencies may jointly conduct and filers from more than one state agency may jointly attend an orientation course required by Section 11146.1, as long as the course content is relevant to the official duties of the attending filers.

(c) Before conducting each orientation course required by Section

11146.1, state agencies shall consult with the Fair Political Practices Commission and the Attorney General regarding appropriate course content.

An overview of the course

The course is made up of thirteen modules.

Attachment B - Course Content

1. The first module, **Essentials**, provides you with critical information about this course and its requirements.

The next twelve modules examine specific aspects of California laws affecting ethics:

2. Conflicts of Interest Under the Political Reform Act
3. Limitations on the Receipt of Gifts
4. Honoraria Ban
5. Contractual Conflicts of Interest: All Contracts
6. Contractual Conflicts of Interest: State Contracts Only
7. Government Code Section 8920, the Code of Ethics
8. Ban on Free Transportation
9. Incompatible Activities of State Officers and Employees
10. The Doctrine of Incompatible Offices
11. Misuse of Public Funds
12. Other Laws
13. Conflicts of Interest When Leaving Office



How to take this course

The course modules need to be completed **in sequence** - the first module, **Essentials**, should be completed before progressing to the next module.

We recommend that you allocate approximately one and one-half to two hours to *complete this orientation*. Each module also shows the estimated time needed to complete it. You may need more or less time to complete any module.

There are no handouts with this course, although you are welcome to print pages out if you wish. You can, of course, take notes on paper. An alternative is to open up Notepad or a word processor and work with it alongside your browser, copying and pasting text and adding your own notes as well.



Selecting modules

The thirteen modules are listed in the left margin. To select the first module, **Essentials**, just click on it. The module you are working on will be shown in yellow.



Moving between pages and levels

At the top right of the screen you will see three buttons. At the moment they are all inactive, like this:



When they are available to use they look like this:



When a series of pages is being presented in sequence, you can use the left and right buttons to take you to the previous and next pages respectively. The central button takes you to the next level up in the course, whether this is the current page (if you have been viewing the glossary), the beginning of the module or the course title page.



Answering questions

Throughout the course, there will be plenty of opportunities for you to interact by answering questions regarding the information you have just read. Your answers to these questions are not scored in any way.

To answer a true/false or yes/no question, click on the appropriate button of your choice.

You'll encounter other question types, using standard Windows input devices such as:

check boxes ☐

radio buttons ☒ ☐ ☐

As you go through the course modules, any sections you have completed will be checked off on the module menus. If the check mark appears to relate to a previous user rather than yourself, you can click on the reset button to remove them.



Exiting the course

Although we strongly recommend that you take the course in one sitting if possible, you can exit the course at any time by clicking on the following button in the left margin:



The glossary and other features

The glossary provides definitions of some of the terms used during this course. You can navigate between glossary entries and return to your original page, using the standard page and level controls. See [moving between pages and levels](#).

You can access the glossary at any time by clicking on the following button in the left hand margin:



When you are working through a module, you will encounter some symbols. These simply indicate the nature of the text to follow; they are not active.



A question for you to answer



Points for you to remember

As you may have already discovered, on this page, and on other longer pages, you can click on the following symbol to get back to the top of the page: ▲



Give us your feedback

If you have a suggestion, comment or criticism to make about the course, we would very much like to hear it. Your feedback is invaluable if we are to continue to make improvements to the course.

You can e-mail us directly at ethics@hdcdojnet.state.ca.us.



After you have begun the course, use the button below to return to your previous position in the course.



To begin taking the course, click on Essentials to go to the first module. You can also go to the first module by clicking on the title *Essentials* in the left hand margin.

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Information

This page provides you with the information you need to make the best use of **Ethics Orientation for State Officials**. You don't have to remember all the instructions here - you can **print this page out** or **come back** at any time by clicking on this symbol in the left hand margin:



Contents

[Computer requirements for the course](#)

[What the course does and does not do](#)

[An overview of the course](#)

[How to take this course](#)

[Selecting modules](#)

[Moving between pages and levels](#)

[Answering questions](#)

[Exiting the course](#)

[The glossary and other features](#)

[Give us your feedback](#)

Computer requirements for the course

To effectively participate while taking this course, you should use Netscape Navigator 4.0 or Internet Explorer 4.0 or 5.0. Your monitor's resolution **must** be set at 800 by 600. If your computer does not support these specifications, remember that this core ethics orientation is also available in a video tape format from the Department of Personnel Administration.



What the course does and does not do

Ethics Orientation for State Officials is for state officers and employees who are required to take an ethics orientation.

This course is not intended to make you an expert on ethics laws. Rather, the goal is to sensitize you to conflicts of interest issues you may face in the performance of your official duties. When conflicts of interest issues arise, you need to consult with your agency's legal counsel or other resources.



Requirements

1 OF 1

Completion of the Orientation

Time Required to Take the Core Course

Completion of the Orientation

Government Code section 11146 requires all covered state officials to complete an ethics orientation conducted by their agency every two years. In an effort to ease the burden on state agencies of conducting these orientations and to ensure the uniform flow of information, the Attorney General's Office and the Fair Political Practices Commission have devised this core course in an Internet format that may be incorporated into an ethics orientation by any state agency. This core ethics orientation is also available in a video tape format.

Under the law, your agency must provide a public record of who has attended its ethics orientation. **If this Internet course is a part of your agency's ethics orientation as mandated by the law, you need to make sure that you are following your agency's procedures in completing this aspect of the orientation.** Once you have completed this Internet course, you will be able to print a certificate of completion which you can sign and file with your agency. The certificate likely will be retained by your agency as a discloseable public record.



Time Required to Take the Core Course

We recommend that you allocate approximately one and one-half hours to complete this orientation. While this may seem like a long time, a lecture format would most likely take longer. *Once you have completed this Internet portion of the course, please feel free to use it as a resource in the future and to recommend it to others you think could benefit from it.*



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About the Core Course and the Internet

1 OF 2

About the Core Course Why the Internet Format?

About the Core Course

This course is not intended to make you into an expert. Rather, the goal is to expose you to these laws and their application in order to create an early warning system in your mind concerning potential conflict of interest situations. Once you can identify basic conflict situations, you should consult with your agency's legal counsel or other resources when conflict issues arise. We will identify a variety of resources for you at the conclusion of the orientation.

Further, in order to make this orientation an efficient training exercise, we have avoided prolific references to legal citations. In that vein, we also have avoided inserting hyperlink material into the orientation. These hyperlinks are, however, available at the conclusion of the course.

Finally, each of the laws that we will examine in this course must be considered independently. It is quite possible that any given transaction could involve more than one law. In that vein, it is important to realize that a term such as "financial interest" may have different meanings in the context of different laws. Similarly, conduct that is permissible under one law may violate another. Because these laws are complex, it is essential that you maintain close contact with your legal counsel when ethics questions arise. The Office of the Attorney General is available to assist your counsel in analyzing ethics questions. In addition, the Fair Political Practices Commission can advise either you or your counsel regarding the provisions of the Political Reform Act, either orally or in writing.



Why the Internet Format?

There are two primary factors that prompted an Internet format. First, this format allows state officials to take the course at a time most convenient to them. Second, this format provides the ability to interact directly with you as you take the orientation by providing you with fact based questions that will allow you to apply the knowledge that you have just gained. This approach should make the orientation more engaging and simultaneously provide you with instant feedback on your understanding. [These features seem like

dramatic advantages over the traditional lecture format.

To maximize your experience while taking this course, you should use Netscape Navigator 4.0 or Internet Explorer 4.0 or 5.0. Your monitor's resolution should be set at 800 by 600. **If your computer does not support this technology, remember that this core ethics orientation is also available in a video tape format from the Department of Personnel Administration, State Training Center.**

We hope you find this Internet orientation to be an effective technique for providing you with information on the state's ethics laws. We will appreciate your feedback at the conclusion of the course.



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COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Progress Report, Voluntary Basic Course Instructor Certification Program		Meeting Date July 15, 1999
Bureau Training Program Services	Reviewed By <i>Bud Lewallen</i>	Researched By Leslie K. Brown
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 7-1-99	Date of Report June 8, 1999
Purpose <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

This is the status report on the Voluntary Basic Course Instructor Certification Program. This program was approved for implementation by the Commission in April 1998.

BACKGROUND

In August 1998, a management fellow was selected to facilitate the implementation of this program. The program was developed with the input of an advisory committee composed of instructors, training directors, and subject matter experts from around the state.

The purpose of the program is partial fulfillment of the POST Strategic Plan objective B-13, which states, "to maximize training delivery, POST will establish selection guidelines, and certification and training programs for instructors." While POST has historically certified courses, not instructors, research has shown that many other states have certification requirements for law enforcement instructors.

ANALYSIS

Certification is a way to recognize a higher level of instructor education, training, and experience. It also supports the development of greater competence in instructional performance. Instructors who teach in the Regular Basic Course were selected to be the first law enforcement instructors to participate in this program.

Based on the recommendations of the ad hoc committee, a three-part program was developed. Participating Basic Course instructors will be interviewed for a qualifications review by a Program Coordinator assigned by the training presenter. Following this interview, instructors will attend a 24-hour Basic Course Instructor Development course, which includes instructional planning, presentation and facilitation skills, and application of adult learning concepts, as well as the POST Basic Course System and use of the instructor workbooks. Finally, participating instructors will be asked to demonstrate knowledge and skills learned during the training, in a competency verification process. The demonstrations will occur among their peer group, or within a presentation to an actual Basic Course recruit class. Successful completion of the program will result in the issuance of a POST Basic Course Instructor certificate, with periodic renewal requirements attached.

A pilot of the program began in June, 1999. Six academies are participating in the pilot. They include: Golden West College, Long Beach Police Department, Bakersfield Police Department, Sacramento County Sheriff's Department, Santa Rosa Training Center, and San Francisco Police Department. Following the completion of testing, an evaluation process will be conducted and appropriate adjustments made. It is anticipated that the program will be available for presentation by other California academies by the fall of 1999.

This report is provided for information purposes only and no specific action of the Commission is requested.



Resolution OF THE *Commission on Peace Officer Standards and Training* STATE OF CALIFORNIA

WHEREAS James M. Norborg, Ph.D., served the Commission on Peace Officer Standards and Training with distinction for 16 years; and

WHEREAS James M. Norborg, Ph.D., attained the position of Personnel Selection Consultant II in 1985; and

WHEREAS James M. Norborg, Ph.D., has been instrumental in the development of California peace officer training and testing processes; and

WHEREAS James M. Norborg, Ph.D., made many contributions to POST during his years of service; now

THEREFORE BE IT RESOLVED The Commission on Peace Officer Standards and Training recognizes the contributions of James M. Norborg, Ph.D., to law enforcement and the people of California; and

BE IT FURTHER RESOLVED that the Commission does hereby commend James M. Norborg, Ph.D., for his dedicated and effective service and extends best wishes for continued success and happiness in retirement.


Chairman


Executive Director

July 13, 1999
Date



Resolution OF THE *Commission on Peace Officer Standards and Training* STATE OF CALIFORNIA

WHEREAS Carol J. Aborn is a Lieutenant II with the Los Angeles Police Department with impressive service in law enforcement and the training community; and

WHEREAS Lieutenant Aborn has served the Commission on Peace Officer Standards and Training in the capacity of a POST Special Consultant in the Management Fellowship Program, full time from August 18, 1998 through August 13, 1999; and

WHEREAS Lieutenant Aborn was the Project Manager for the Field Training Program study and implementation plan, and responsible for all activities related to approving agency-specific Field Training Programs as part of a basic training requirement for all California peace officers; and

WHEREAS Lieutenant Aborn coordinated the efforts to research, study, and coordinate statewide groups in the development of the curriculum revisions to the POST-certified Field Training Officer Course, the Field Training Officer Update Course, and the Field Training Program Administrator/Supervisor Course; and

WHEREAS Lieutenant Aborn's work on this critical and challenging project was exemplary in every respect; and

WHEREAS The results of her work will provide a tangible benefit to professional law enforcement training throughout California for many years to come; now

THEREFORE BE IT RESOLVED That the members of the Commission on Peace Officer Standards and Training commend Lieutenant Aborn for a truly outstanding job; and

BE IT FURTHER RESOLVED That the Commission extends its best wishes for continued service to the California law enforcement community in the years to come.


Chairman


Executive Director

July 15, 1999

Date



Resolution OF THE *Commission on Peace Officer Standards and Training* STATE OF CALIFORNIA

WHEREAS Ted O. Prell is a Sergeant with the Ventura Police Department with impressive service to law enforcement; and

WHEREAS he has served the Commission on Peace Officer Standards and Training in the capacity of a POST Management Fellow from August 17, 1998, through August 13, 1999; and

WHEREAS he conducted research and facilitated meetings in the development of legislatively mandated and certified training programs; and

WHEREAS he conducted research and was instrumental in developing proposals to expand the Continuing Professional Training requirement; and

WHEREAS his work on every aspect of these complex and difficult projects was exemplary in every respect; and

WHEREAS the results of his work will be of benefit to the law enforcement training community for many years to come; now

THEREFORE BE IT RESOLVED that the members of the Commission on Peace Officer Standards and Training commend Ted O. Prell for a job well done; and

BE IT FURTHER RESOLVED that the Commission extends its best wishes for continued service to California law enforcement.


Chairman


Executive Director

August 13, 1999

Date



Resolution OF THE *Commission on Peace Officer Standards and Training* STATE OF CALIFORNIA

WHEREAS Leslie K. Brown is a Lieutenant with the Sacramento County Sheriff's Department with impressive service to law enforcement; and

WHEREAS she has served the Commission on Peace Officer Standards and Training in the capacity of a POST Management Fellow from August 17, 1998, through August 13, 1999; and

WHEREAS she conducted research and facilitated the Master Instructor Development Program; and

WHEREAS she conducted research and was instrumental in developing the Basic Course Voluntary Instructor Certificate Pilot Program; and

WHEREAS this research has laid the foundation for future selection and training standards for California's law enforcement instructors; and

WHEREAS her work on every aspect of these complex and difficult projects was exemplary in every respect; and

WHEREAS the results of her work will be of benefit to the law enforcement training community for many years to come; now

THEREFORE BE IT RESOLVED that the members of the Commission on Peace Officer Standards and Training commend Leslie K. Brown for a job well done; and

BE IT FURTHER RESOLVED that the Commission extends its best wishes for continued service to California law enforcement.


Chairman


Executive Director

July 15, 1999

Date



Resolution OF THE *Commission on Peace Officer Standards and Training* STATE OF CALIFORNIA

WHEREAS Rose Avila has served the Commission on Peace Officer Standards and Training for three years; and

WHEREAS Rose Avila has attained the position of Graphic Artist for the Commission on Peace Officer Standards and Training and has made many excellent and creative contributions to POST during her years of service; and

WHEREAS in 1998, Rose Avila was instrumental in producing POST's first *Annual Report* in nine years; and

WHEREAS the 1998 *POST Annual Report* is exemplary in its creativity and presentation of POST's programs, mission and goals; now

THEREFORE BE IT RESOLVED The Commission on Peace Officer Standards and Training recognizes the diligent efforts and creative contribution of Rose Avila in the production of the 1998 *POST Annual Report*; and

BE IT FURTHER RESOLVED that the Commission does hereby commend Rose Avila for her dedication and professionalism in accomplishing a work product of such high quality and extends best wishes for continued success.

A large, stylized handwritten signature in black ink, likely belonging to the Chairman of the Commission.

Chairman

A handwritten signature in black ink, likely belonging to the Executive Director of the Commission.

Executive Director

July 15, 1999

Date



Resolution OF THE *Commission on Peace Officer Standards and Training* STATE OF CALIFORNIA

WHEREAS Steve Lucas has served the Commission on Peace Officer Standards and Training for ten months; and

WHEREAS Steve Lucas has attained the position of Assistant Graphic Artist for the Commission on Peace Officer Standards and Training; and

WHEREAS in 1998, Steve Lucas was instrumental in producing POST's first *Annual Report* in nine years; and

WHEREAS the 1998 *POST Annual Report* is exemplary in its creativity and presentation of POST's programs, mission and goals; now

THEREFORE BE IT RESOLVED The Commission on Peace Officer Standards and Training recognizes the diligent efforts and creative contribution of Steve Lucas in the production of the 1998 *POST Annual Report*; and

BE IT FURTHER RESOLVED that the Commission does hereby commend Steve Lucas for his dedication and professionalism in accomplishing a work product of such high quality and extends best wishes for continued success.


Chairman


Executive Director

July 15, 1999
Date



Resolution OF THE *Commission on Peace Officer Standards and Training* STATE OF CALIFORNIA

WHEREAS Patricia Cassidy has served the Commission on Peace Officer Standards and Training for 30 years; and

WHEREAS Patricia Cassidy has attained the position of Staff Services Analyst for the Commission on Peace Officer Standards and Training and has made many excellent contributions to POST during her years of service; and

WHEREAS in 1998, Patricia Cassidy was instrumental in producing POST's first *Annual Report* in nine years; and

WHEREAS the 1998 *POST Annual Report* is exemplary in its narrative presentation of POST's programs, mission and goals; now

THEREFORE BE IT RESOLVED The Commission on Peace Officer Standards and Training recognizes the diligent efforts and editorial contributions of Patricia Cassidy in the production of the 1998 *POST Annual Report*; and

BE IT FURTHER RESOLVED that the Commission does hereby commend Patricia Cassidy for her dedication and professionalism in accomplishing a work product of such high quality and extends best wishes for continued success.


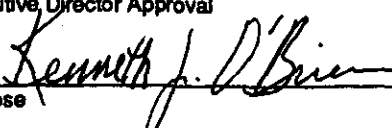

Chairman


Executive Director

July 15, 1999
Date

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Financial Report -First Quarter 1999-2000		Meeting Date October 28, 1999
Bureau Administrative Services Bureau	Reviewed By  Frederick Williams	Researched By Staff
Executive Director Approval 	Date of Approval 10/8/99	Date of Report October 13, 1999
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

This report provides financial information relative to the local assistance budget through September 30, 1999. Revenue which has accrued to the Peace Officers' Training Fund is shown, as are expenditures made from the 1999-00 budget to California cities, counties and districts.

COMPARISON OF REVENUE BY MONTH - This report, shown as Attachment 1, identifies monthly revenues which have been transferred to the Peace Officers' Training Fund. Through September 30, 1999, we received \$13,694,492. The total is \$1,209,242 more than originally anticipated, and is \$1,391,614 (11%) more than received for the same period last fiscal year.

NUMBER OF REIMBURSED TRAINEES BY CATEGORY - This report, identified as Attachment 2, compares the number of trainees reimbursed this fiscal year with the number reimbursed last year. The 13,533 trainees reimbursed through the first quarter represent an increase of 2,010 (17%) compared to the 11,523 trainees reimbursed during the similar period last fiscal year (see Attachment 2).

REIMBURSEMENT BY COURSE CATEGORY - These reports compare the reimbursement paid by course category this year with the amount reimbursed last fiscal year. Reimbursements for courses through the first quarter of \$4,642,003 represent a \$1,047,110 (29%) increase compared to last fiscal year (see Attachments 3A and 3B).

SUMMARY

Revenue received for the first three months of the fiscal year is \$1.2 million more than anticipated. Similarly, the number of trainees during the first quarter significantly exceeds the number reimbursed for training during the same time frame last year. These occurrences have contributed to reimbursements which amount to a significant increase over what was the case last year.

Updated projections will be provided to the Finance Committee at its October 27, 1999 meeting.

File: REVENUE

COMPARISON OF REVENUE BY MONTH													
FISCAL YEARS 1998-1999 AND 1999-2000													
1998-99							1999-2000						
MONTH	PENALTY ASSESSMENT FUND	TRANSFER FROM DT PAF ***	CUMULATIVE MONTHLY ESTIMATE	PENALTY ASSESSMENT FUND	TRANSFER FROM DT PAF ***	OTHER *	TOTAL	% OF EST	CUMULATIVE TOTAL	% OF EST	TOTAL	% OF EST	TOTAL
JUL	2,980,479	879,426	\$3,888,894	3,531,588	1,047,896	37,846	\$4,617,310	110.95%	\$4,617,310	110.95%	\$4,617,310	110.95%	\$4,617,310
AUG	2,861,730	1,137,131	\$7,911,743	3,089,514	1,242,972	31,832	\$4,364,318	104.87%	8,981,628	107.91%	8,981,628	107.91%	8,981,628
SEP	2,999,959	1,371,787	\$12,302,878	3,450,636	1,232,194	30,034	\$4,712,864	113.24%	13,694,492	109.69%	13,694,492	109.69%	13,694,492
OCT	2,753,725	1,259,214	\$16,336,443				\$0	0.00%	13,694,492	82.26%	13,694,492	82.26%	13,694,492
NOV	2,711,610	1,239,956	\$20,312,622				\$0	0.00%	13,694,492	65.81%	13,694,492	65.81%	13,694,492
DEC	3,218,336	1,471,669	\$25,018,327				\$0	0.00%	13,694,492	54.26%	13,694,492	54.26%	13,694,492
JAN	2,675,323	1,223,362	\$29,401,046				\$0	0.00%	13,694,492	46.58%	13,694,492	46.58%	13,694,492
FEB	2,703,214	1,236,116	\$33,376,718				\$0	0.00%	13,694,492	40.80%	13,694,492	40.80%	13,694,492
MAR	3,041,813	1,390,949	\$37,834,629				\$0	0.00%	13,694,492	36.30%	13,694,492	36.30%	13,694,492
APR	2,794,741	1,278,047	\$41,928,039				\$0	0.00%	13,694,492	32.70%	13,694,492	32.70%	13,694,492
MAY	2,923,611	1,337,114	\$46,284,905				\$0	0.00%	13,694,492	29.74%	13,694,492	29.74%	13,694,492
JUN	3,324,927	1,520,413	\$51,602,893				\$0	0.00%	13,694,492	27.13%	13,694,492	27.13%	13,694,492
TOTAL	\$34,999,468	\$15,345,184	\$51,602,893	\$10,071,718	\$3,523,062	\$99,712	\$13,694,492	27.13%	\$13,694,492	27.13%	\$13,694,492	27.13%	\$13,694,492

* - Includes \$67,820 from coroner permit fees (per Ch 990/90)

***-Per Section 24.10, Budget Act of 1999

COMMISSION ON POST
NUMBER OF REIMBURSED TRAINEES BY CATEGORY
SEPTEMBER

COURSE	1998-99			1999-2000		
	Actual Total For Year	Actual July-Sept	% of Total	Projected Total For Year	Actual September	% of Projection
Basic Course	1,028	227	22%	1,100	354	32%
Dispatchers - Basic	324	78	24%	350	59	17%
Advanced Officer Course	1,878	442	24%	2,000	410	21%
Supervisory Course (Mandated)	634	132	21%	650	119	18%
Management Course (Mandated)	289	27	9%	3,800	70	2%
Executive Development Course	334	80	24%	300	67	22%
Supervisory Seminars & Courses	3,708	878	24%	2,200	891	41%
Management Seminars & Courses	2,185	377	17%	350	224	64%
Executive Seminars & Courses	599	49	8%	600	41	7%
Tech Skills & Knowledge Course	45,834	8,968	20%	46,000	11,069	24%
Field Management Training	48	6	13%	50	11	22%
Team Building Workshops	611	147	24%	650	119	18%
POST Special Seminars	770	112	15%	800	99	12%
Approved Courses	35	0	0%	50	0	0%
Tools for Tolerance	276	0	0%	0	0	N/A
TOTALS	58,553	11,523	20%	58,900	13,533	23%

* - 2,554 trainees rolled over from June and paid in July 1999 so as not to exceed FY 98-99 budget.

COMMISSION ON POST

REIMBURSEMENT BY COURSE CATEGORY

COURSE	1998-99		1999-2000	
	Total For Year	Actual July-Sept	Actual September	Actual July-Sept
Basic Course	\$1,578,101	\$419,294	\$29,522	\$363,553
Dispatchers - Basic	291,427	62,445	11,221	35,962
Advanced Officer Course	136,899	36,924	5,361	54,145
Supervisory Course (Mandated)	421,713	79,408	32,751	74,325
Management Course (Mandated)	329,639	24,323	18,697	84,635
Executive Development Course	278,418	64,086	10,103	59,619
Supervisory Seminars & Courses	1,546,542	361,111	141,293	378,845
Management Seminars & Courses	810,440	135,753	20,701	67,981
Executive Seminars & Courses	244,676	23,669	8,931	17,593
Tech Skills & Knowledge Course	11,991,098	2,242,864	1,083,922	3,037,768
Field Management Training	24,246	2,911	2,370	4,877
Team Building Workshops	305,019	80,750	30,922	71,037
POST Special Seminars	238,102	29,166	18,255	37,307
Approved Courses	4,037	0	0	0
Training Aids Technology	914,181	32,189	64,969	354,356
Tools for Tolerance	73,478	0	0	0
TOTALS	\$19,188,016	\$3,594,893	\$1,479,018	\$4,642,003

* - \$902,135 for 2,554 trainees rolled over from June and paid in July 1999 so as not to exceed FY 98-99 budget.

COMMISSION ON POST
SUMMARY OF REIMBURSEMENT EXPENSE CATEGORIES

EXPENSE CATEGORIES	FY 1998-99 Total	1998-99 July-Sept	1999 September	1999-2000 July-Sept
Resident Subsistence	\$9,910,210	\$1,924,070	\$630,502	\$2,025,165
Commuter Meal Allowance	1,103,211	243,392	49,013	226,386
Travel	3,022,140	671,965	172,180	607,628
Tuition	3,400,251	689,240	345,478	896,029
Backfill Salary	764,545	34,037	216,876	532,439
Training Technology Assistance	914,181	32,189	64,969	354,356
Tools for Tolerance Training	73,478	0	0	0
TOTALS	\$19,188,016	\$3,594,893	\$1,479,018	\$4,642,003

* - \$902,135 for 2,554 trainees rolled over from June and paid in July 1999 so as not to exceed FY 98-99 budget .

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Public Hearing to Consider Proposing Reimbursement for Trainees Attending Courses in States Contiguous to California		Meeting Date July 15, 1999
Bureau Training Delivery & Compliance	Reviewed By Dick Reed	Researched By Don Moura
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 6-25-99	Date of Report June 8, 1999
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission, subject to the public hearing process, approve amending Regulation 1015 to reimburse agencies for the costs of attending POST-Certified training presented in states contiguous to California?

BACKGROUND

At its January 21, 1999 meeting, the Commission set a public hearing for July 15, 1999 to receive testimony on proposed changes to Commission Regulation 1015, Reimbursements.

Beginning in 1997, staff has been supporting efforts to create cooperative agreements with our counterpart in Oregon to increase the availability of training to agencies and personnel located near the California-Oregon border. Using the working title, "California-Oregon Training Alliance," representatives of POST, the Oregon Board on Public Safety Standards and Training, and law enforcement agencies from both states have met quarterly at the border to identify mutual training needs and resolve problems associated with dual state course certification. Informal agreements have been reached to support dual-state certification of training courses, collaboration to identify mutual training needs, and the identification of issues which require further study.

Discussions are underway with Nevada POST to create a similar alliance and working agreements. Arizona POST has inquired about inclusion into this model. Although these discussions have not progressed to the same point as with Oregon, any regulation revisions should allow for future inclusion of Nevada and Arizona. Presently, the State of Arizona off-sets the cost of Telecourse production through a contract with POST and television station KPBS in San Diego. Inclusion in the dual state training model would allow for expansion of what has been a good training partnership with a neighboring state.

A test of the training alliance concept has been initiated to certify selected courses presented in Oregon, and to obtain Oregon certification of courses presented in California. The goal of this cross-certification has been to make training more available and cost efficient to the officers and agencies working in the remote border regions of both states.

Preliminary indications are increased availability of training at the border reduces overtime costs and travel expenses associated with satisfying the Continuing Professional Training (CPT) requirement. Courses with dual state certification are presented in the counties adjoining at the border, thereby increasing the size of each class and making it practical to take training to officers and agencies in rural, remote areas of the state. The training alliance and the dual certification of training have the support of agency executives and personnel in both California and Oregon.

ANALYSIS

Commission Regulation 1015(c)(3) permits reimbursement for "expenses related to attendance of POST-certified courses." The regulation requires only the training be POST-certified, as a prerequisite for reimbursement. Therefore, the Commission may reimburse the costs of training (tuition, travel, and subsistence) for courses presented outside the State of California, provided such training is POST- certified.

The Commission has not previously authorized reimbursement for attendance at training courses presented outside the State. This is due to the fact until the training alliance concept was conceived, there were no POST-certified training courses presented outside the State of California. Now, however, if the alliance concept is to be supported by the Commission, Regulation 1015 should be amended to articulate the intent of the interstate training alliance and to set limits on reimbursement for out-of-state training.

The regulation should be amended to specify reimbursement is authorized for California agencies whose officers attend POST-certified training approved for presentation in Oregon, Nevada and Arizona. If the Commission concurs, the following proposed language should be added to Commission Regulation 1015 (c):

- (10) Reimbursement is authorized for California law enforcement agencies in counties bordering states contiguous to California, and whose officers attend POST-certified training courses in those states (Oregon, Nevada and Arizona). Agencies in other than contiguous counties may be reimbursed only if the Executive Director or his designee grants prior approval. Prior approval will be granted only upon showing a special need.

The creation of the training alliance, working agreements, and regulation changes to support this concept are consistent with the POST Strategic Plan. The products of the operation of the alliance will satisfy, in part, Strategic Objectives B-4, Evaluate and Implement Alternative Approaches to Satisfy Training Needs; B-5, Ensure Courses are Delivered at Multiple Sites; B-18, Study the Feasibility of Certifying Training Courses Located Outside of California; and C-3, Broaden Opportunities for Interaction Between POST and Its Partners.

RECOMMENDATION

If the Commission concurs, subject to the results of the public hearing, amend Regulations 1015, Reimbursements as proposed, effective January 1, 2000, subject to the approval by the Office of Administrative Law.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083
www.post.ca.gov

May 10, 1999

BULLETIN: 99-6

**SUBJECT: PUBLIC HEARING - PROPOSAL TO AMEND COMMISSION
REGULATION 1015 - REIMBURSEMENT FOR TRAINING RECEIVED
IN CONTIGUOUS STATES**

A public hearing has been scheduled for:

Date: July 15, 1999

Time 10:00 a.m.

Place: Burbank Hilton

2500 Hollywood Way
Burbank, CA 91505

This public hearing is being held to consider a proposal to increase the availability of training and reimbursement for training presented in contiguous states. Initial collaborative training efforts between California and Oregon have proven successful, and discussions regarding a similar effort have been initiated with Nevada and Arizona.

The Commission is proposing to amend Regulation 1015, Reimbursements, to authorize reimbursement to California law enforcement agencies in counties bordering states contiguous to California, and whose officers attend POST-certified training courses in those states (Oregon, Nevada, and Arizona). The Executive Director may approve reimbursement for agencies within non-bordering counties when it is practical and/or cost effective to do so.

The attached Notice of Public Hearing, required by the Administrative Procedures Act, provides details concerning the proposed changes and provides information regarding the hearing process. Inquiries concerning the proposed action may be directed to Leah Cherry, Staff Services Analyst, 1601 Alhambra Boulevard, Sacramento, CA 95816, or by telephone at (916) 227-3891.

Kenneth J. O'Brien

KENNETH J. O'BRIEN
Executive Director

Attachment



Commission on Peace Officer Standards and Training

**NOTICE OF PUBLIC HEARING
AMEND COMMISSION REGULATION 1015
Contiguous States Training Reimbursement**

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Penal Code Sections 13503 (powers of the Commission on POST), 13506 (authority for the Commission on POST to adopt regulations), and in order to interpret, implement and make specific Sections 13510 of the Penal Code (authority for the Commission on POST to adopt and amend rules establishing minimum standards for California law enforcement officers), proposes to adopt, amend, or repeal regulations in Chapter 2 of Title 11 of the California Code of Regulations. A public hearing to adopt the proposed amendments will be held before the full Commission on:

Date: July 15, 1999 Time: 10:00 a.m.
Place: Burbank Hilton
 2500 Hollywood Way
 Burbank, CA 91505

Notice is also hereby given that any interested person may present oral and/or written statements or arguments, relevant to the action proposed, during the public hearing.

INFORMATIVE DIGEST

POST has been participating in efforts to create cooperative agreements with states contiguous to the State of California. This action will increase the availability of training for agencies and personnel assigned to sparsely populated borders regions of California. Initial collaborative training efforts between California and Oregon have proven successful, and discussions regarding a similar effort has been initiated with Nevada and, to a limited extent, Arizona. The issue to be addressed that will enhance this effort is POST reimbursement for the costs of training that is presented in these other (contiguous) states.

Therefore, the Commission is proposing to amend Regulation 1015, Reimbursements, to enable the Commission to reimburse California agencies for the costs associated with attending certified training presented in states contiguous to the State of California.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed action. All written comments must be received at POST no later than 4:30 p.m. on July 5, 1999. Written comments should be directed to Kenneth J. O'Brien, Executive Director, Commission on Peace Officer Standards and training, 1601 Alhambra Blvd., Sacramento, CA 95816-7083.

ADOPTION OF PROPOSED REGULATIONS

Following the close of the public comment period, the Commission may adopt the proposals substantially as described in this notice or may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before adoption, the text of any modified language clearly indicated will be made available at least 15 days before the date of adoption to all persons whose comments were received by POST during the public comment period, and all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date on which the revised text is made available.

TEXT OF PROPOSAL

Copies of the Statement of Reasons and exact language of the proposed action may be obtained by submitting a request in writing to the contact person at the address listed below. This address also is the location of all information considered as the basis for these proposals. The information will be maintained for inspection during the Commission's normal business hours (8:00 a.m. to 5:00 p.m., Monday through Friday).

ESTIMATE OF ECONOMIC IMPACT

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Declaration Relating to Impact on All California Businesses: The Commission on Peace Officer Standards and Training, in the development of the proposed amendment to the regulations, has assessed the potential for adverse economic impact on businesses in California, including the ability of California businesses to compete with the businesses in other states, and has found that the proposed amendments will have no effect. This finding was based on the determination that the proposed amendment to Commission Regulation 1015 in no way applies to California businesses.

Costs Impact on Private Persons or Entities: None

Housing Costs: None

ASSESSMENT

The adoption of the proposed amendments to this regulation will neither create nor eliminate jobs in the state of California, nor result in the elimination of existing businesses or create or expand businesses in the state of California.

CONSIDERATION OF ALTERNATIVES

In order to take this action, the Commission must determine that no alternative considered by the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquires concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Leah Cherry, Staff Services Analyst, 1601 Alhambra Boulevard, Sacramento, CA or by telephone at (916) 227-3891.

Commission on Peace Officer Standards and Training

**PROPOSED REGULATORY ACTION:
AMEND COMMISSION REGULATIONS 1015
INITIAL STATEMENT OF REASONS
Contiguous States Training Reimbursement**

INITIAL STATEMENT OF REASONS

Justification:

The Commission is proposing to amend Regulation 1015, Reimbursements, to enable the Commission to reimburse California agencies for costs associated with attending certified training in states contiguous to the State of California.

If the Commission concurs, the following proposed language should be added to Commission Regulation 1015 (c):

- (10) Reimbursement is authorized for California law enforcement agencies in counties bordering states contiguous to California, and whose officers attend POST-certified training courses in those states (Oregon, Nevada and Arizona).

This provision is necessary because POST has been participating in efforts to create cooperative agreements with states contiguous to the State of California. This action will increase the availability of training for agencies and personnel assigned to sparsely populated regions of California. Initial collaborative training efforts between California and Oregon have proven successful, and discussions regarding a similar effort have been initiated with Nevada and, to a limited extent, Arizona. The issue to be addressed that will enhance this effort is the reimbursement for the costs associated with POST-certified training presented in these other (contiguous) states.

Agencies in other than contiguous counties may be reimbursed only if the Executive Director or his designee grants prior approval. Prior approval will be granted only upon showing a special need.

This provision is necessary because some counties that are not contiguous to bordering states (e.g., Humboldt, Trinity, Mendocino) are also removed from major training centers. The personnel of agencies in these counties also require training. The training presented in contiguous states may be more accessible than training presented in California.

Commission on Peace Officer Standards and Training

**AMEND COMMISSION REGULATION 1015
Contiguous States Training Reimbursement**

1015. Reimbursements.

(a) - (c)(9) continued * * *

(c) Reimbursement for Travel, Subsistence, Commuter Lunch , Tuition and Back-fill salary.

(10) Reimbursement is authorized for California law enforcement agencies in counties bordering states contiguous to California, and whose officers attend POST-certified training courses in those states (Oregon, Nevada and Arizona). Agencies in other than contiguous counties may be reimbursed only if the Executive Director or his designee grants approval. Prior approval will be granted only upon showing a special need.

PAM Section E-1-4c adopted effective April 15, 1982 and amended January 21, 1994, is herein incorporated by reference.

PAM Section E-1-4e adopted effective April 15, 1982 is herein incorporated by reference.

Note: Refer to PAM, Section E, Reimbursements, for detailed information on reimbursement procedures.

NOTE: Authority cited: Sections 13503, 13506, 13510 and 13520, Penal Code.
Reference: Sections 13510, 13511, 13512, 13518, 13520, 13522, 13523, 13524 and 13525, Penal Code; Section 11489, Health and Safety Code; and Statutes 1997, Chapter 9, Section 2, (Senate Bill 350).

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title

Report on Proposal to Modify Regulation 1007
Reserve Officer Training Requirements

Meeting Date

July 15, 1999

Bureau

Basic Training Bureau

Reviewed By

Ken Whitman

Researched By

Frank G. Decker

Executive Director Approval

Date of Approval

7-7-99

Date of Report

June 11, 1999

Purpose



Decision Requested



Information Only



Status Report

Financial Impact:



Yes (See Analysis for details)



No

In the space provided below, briefly describe the **ISSUE**, **BACKGROUND**, **ANALYSIS**, and **RECOMMENDATION**. Use additional sheets if required.

ISSUE

Should the Commission approve, subject to the Notice of Proposed Regulatory Action process, a proposal to modify Regulation 1007 that would allow candidates who have satisfactorily completed Reserve Modules A and B to be appointed as Level II reserve peace officers during a grace period from July 1, 1999 to January 1, 2000?

BACKGROUND

Following a public hearing on January 21, 1999, the Commission approved changes in Commission regulations and procedures, that revised entry level training requirements for reserve peace officers. Regulation 1007 and Procedure D-1 were amended to establish Reserve Training Modules I, II, and III as the Regular Basic Course - Modular Format.

The new system replaces the Module A, B, C, and D format which was formerly used to provide entry level training for reserve officers. The proposed changes were announced in POST bulletins published on November 6, 1998 and February 16, 1999. Level II reserve officers who were trained under the Module A, B, and C format had until June 30, 1999 to be appointed as a peace officer. After July 1, 1999 Level II reserve officers are required to successfully complete the Level III and Level II Reserve Training Modules.

ANALYSIS

Through contacts with agencies, reserve training presenters, and students, staff has determined that there are a number of students who completed Module A and began or completed Module B but were unable to be appointed as Level II reserve officers on or before June 30, 1999. There are two reasons for this situation:

- Some students were not aware of the change in training standards and did not apply to agencies in time for their background investigations to be completed prior to July 1, 1999.

- Some agencies, due to limited resources, were unable to complete background investigations on Level II applicants prior to July 1, 1999.

A survey of a cross section of reserve training presenters indicates that there may be several hundred students who are in this situation. For this reason, it is proposed that the Commission approve a grace period during which these individuals could be appointed as Level II reserve officers. The grace period would be from July 1, 1999 to January 1, 2000.

The primary reason for establishing a new entry level training system for reserve officers was to address the changes in assignment, supervision, and training requirements caused by legislation. There was never any intention to prevent students, who began and/or completed Module B prior to July 1, 1999, from becoming Level II reserve officers. When these individuals began their training, completion of Modules A and B was the training standard for Level II reserve. Through no fault of their own they were unable to be appointed as Level II reserves before the entry level training standard was revised and became effective on July 1, 1999. If approved by the Commission, this proposal would address the needs of a group of students who took these courses, at their own expense, with the intention of volunteering their services as reserve officers.

There already exists in regulation a provision for Modules A, B, and C to continue to be certified courses for a two-year overlap period from July 1, 1999 to June 30, 2001. This overlap period is intended to allow Level I candidates who started their training in this format to complete Modules B and C in order to meet the prerequisites for Module D which will be certified for an additional year. This would also allow individuals who were appointed as Level II reserves officers on or before June 30, 1999 an opportunity to complete their training under the A,B,C, and D format. The grace period would not include individuals who begin Module B training on or after July 1, 1999 without appointment as Level II reserves on or before June 30, 1999. This is based on the presumption that anybody who enters a Module B course after July 1, 1999 intends to become a Level I reserve by completing Modules B, C, and D.

It is proposed that language be added to Commission Regulation 1007(b) specifying that individuals who completed and/or began a Reserve Module B training course on or before June 30, 1999 may be appointed as Level II reserve officers until January 1, 2000. The proposed modification is recommended by staff and supported by numerous agencies and training presenters. The approval of a grace period for the appointment of Level II reserve officers who have satisfactorily completed Reserve Modules A and B would accommodate those students who were enrolled in Module B courses on or before June 30, 1999, but could not be appointed on or before that date. The proposed regulatory language is included as Attachment A.

If the Commission agrees to modifications, it is proposed that the Notice of Proposed Regulatory Action process be used. If no one requests a public hearing, the proposed changes would become effective 30 days after approval by the Office of Administrative Law.

RECOMMENDATION

It is recommended that the Commission, subject to the results of the Notice of Proposed Regulatory Action, approve the modification to Regulation 1007 as described.

Commission on Peace Officer Standards and Training

Proposed Regulatory Language

1007. Reserve Officer Minimum Standards and Waiver of Training Requirements for Modules B and/or C.

(a) Every reserve peace officer shall be selected in conformance with the following requirements:

- (1) **Felony Conviction.** Government Code section 1029: Limits employment of convicted felons.
- (2) **Fingerprint and Record Check.** Government Code sections 1030 and 1031(c): Require fingerprinting and search of local, state and national files to reveal any criminal records.
- (3) **Citizenship.** Government Code sections 1031(a) and 1031.5: Specify citizenship requirements for peace officers.
- (4) **Age.** Government Code section 1031(b): Specifies minimum age of 18 years for peace officer employment.
- (5) **Moral Character.** Government Code section 1031(d): Requires good moral character, as determined by a thorough background investigation. For Level III, Level II and Level I reserve officers, the background investigation shall be conducted as prescribed in PAM Procedure C-1.
- (6) **Education.** Government Code section 1031(e): Requires high school graduation, passage of the General Education Development Test (GED) or attainment of a two-year or four-year degree from an accredited college or university.

When the GED is used, a minimum overall score of not less than 45, and a standard score of not less than 35 on any section of the test, as established by the American Council on Education, shall be attained.

Per Education Code Section 48412, passage of the California High School Proficiency Examination is the legal equivalent of attainment of a California high school diploma.

- (7) **Medical and Psychological Suitability Examinations.** Government Code section 1031(f): Requires an examination of physical, emotional and mental conditions. For Level II and Level I reserve officers, Psychological Suitability Examinations shall be conducted as prescribed in PAM section C-2.
- (8) **Interview.** Commission requirement: Each peace officer shall be interviewed personally by the department head or his/her representative prior to appointment.

(b) Every reserve peace officer shall be trained in conformance with the following requirements:

- (1) Every Level I reserve peace officer [defined in PAM, section H-1-2(a)], before being assigned to duties which include the exercise of peace officer powers, shall satisfactorily complete the training requirements of the Regular Basic Course (PAM, section D-1-3).

All Level I reserve officers appointed on or after 7-1-99, upon completing the Regular Basic Course training requirement shall complete a POST-approved Field Training Program (PAM, section D-13) prior to working alone in a general law enforcement assignment. The Field Training Program, which shall be delivered over a minimum of 10 weeks (400 hours), shall be based upon structured learning content as recommended in the *POST Field Training Program Guide* or upon a locally developed field training guide which includes the minimum POST-specified topics which are listed in the *POST Field Training Program Guide*.

Every Level I reserve peace officer shall also satisfy the Continuing Professional Training requirement set forth in Regulation 1005(d).

- (2) Every Level II reserve peace officer [defined in PAM, section H-1-2(b)], appointed on or after 7-1-99, before being assigned to duties which include the exercise of peace officer powers, shall satisfactorily complete the POST-certified two-part Reserve Level III Module and the Level II Module (PAM, section D-1-3).

Every Level II reserve peace officer shall also satisfy the Continuing Professional Training requirement set forth in Regulation 1005(d).

- (3) Every Level III reserve peace officer [defined in PAM, section H-1-2(c)], appointed on or after 7-1-99, before being assigned to duties which include the exercise of peace officer powers, shall satisfactorily complete the POST-certified two-part Reserve Level III Module (PAM, section D-1-3).
- (4) Notwithstanding the provisions of subsection (2) Level II reserve peace officers [defined in PAM, section H-1-2(b)], who were enrolled in a POST-certified Reserve Training Module B course prior to 7-1-99 and who are appointed between 7-1-99 and 01-01-00, before being assigned to duties which include the exercise of peace officer powers, shall satisfactorily complete the POST-certified Reserve Training Modules A and B (PAM, section H-3-3)
- (c) To be eligible for the award of the Reserve Officer Certificate, a reserve peace officer, shall be currently appointed or deputized as a reserve peace officer as described in Penal Code 830.6(a), meet the selection requirements for Level I reserve peace officer assignment as described in paragraph (a), and have completed the training and general law enforcement experience as described in paragraph (b)(1) and in PAM, section H-4.
- (d) The Commission may waive completion of a POST-certified training program required by paragraph (b) for an individual who has completed training equivalent to the requirements of Module B and/or C. This waiver shall be determined by an evaluation and examination process as specified in PAM, section D-12, Waiver of Training for Reserve Officer Modules B and/or C.

PAM Section D-1-1. adopted effective July 1, 1999 is herein incorporated by reference.

PAM Section D-1-3. adopted effective July 1, 1999 is herein incorporated by reference.

PAM Section D-1-5. adopted effective July 1, 1999 is herein incorporated by reference.

PAM Section D-1-6. adopted effective July 1, 1999 is herein incorporated by reference.

PAM Section H-1 adopted effective July 15, 1982, and amended June 15, 1990, February 22, 1996, September 12, 1998, and July 1, 1999 is herein incorporated by reference.

PAM Section H-3 adopted effective July 15, 1982, and amended January 16, 1987, June 15, 1990, July 1, 1992, February 22, 1996, September 12, 1998, and July 1, 1999 is herein incorporated by reference.

PAM section H-4 adopted effective July 15, 1982 and amended October 10, 1990, and July 1, 1999 is herein incorporated by reference.


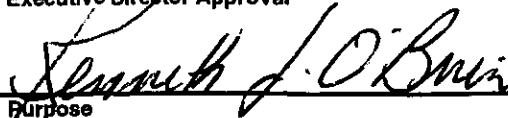
PAM section H-5 adopted effective July 15, 1982, and amended January 16, 1987, July 1, 1992, and July 1, 1999 is herein incorporated by reference.

PAM section D-12 adopted effective April 25, 1998 is herein incorporated by reference.

The document, *Training Specifications for the Regular Basic Course - Modular Format* adopted effective July 1, 1999 is herein incorporated by reference.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Report on Proposal to Amend Procedure H-3 Reserve Officer Training Requirements		Meeting Date October 28, 1999
Bureau Basic Training Bureau	Reviewed By  Kenneth Whitman	Researched By Kelly York
Executive Director Approval 	Date of Approval 10-7-99	Date of Report September 21, 1999
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

In the space provided below, briefly describe the **ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION**. Use additional sheets if required.

ISSUE

Should the Commission approve, subject to the Notice of Proposed Regulatory Action process, a proposal to amend Commission Procedure H-3 to allow current Level I and Level II reserve peace officers to laterally transfer between law enforcement agencies without meeting current minimum training requirements?

BACKGROUND

Effective July 13, 1999 Governor Davis signed into law Senate Bill 359 (Knight) that amended Penal Code Section 832.6 providing a lateral transfer provision for current Level I and Level II reserve peace officers. It has long been the practice of the Commission to view transfers of reserve peace officers from one agency to another as a new appointment. Since a new appointment required the reserve peace officer to meet any new training requirements that may have been established since their original appointment, transfers between law enforcement agencies were very uncommon.

ANALYSIS

Senate Bill 359 (Knight) allows reserve peace officers who have been serving as a Level I or Level II reserve peace officer to transfer to the same level at another law enforcement agency without having to meet any new training requirements that may have been established since their original appointment. The individual interested in a lateral transfer must be appointed to the **same** level in order to be exempt from the current training requirements. However, since the reserve training requirements have changed substantially over the last four years the hiring agency may choose to assign the individual to a lower level of duties until further training is obtained by the individual.

This bill exempts current Level I and Level II reserve peace officers from the current minimum training requirements only. Selection requirements (e.g., background, medical, psychological) must still be met prior to appointment with the new agency.

This bill also does not provide for any break in service between law enforcement agencies. If a current Level I or Level II reserve peace officer wishes to transfer between agencies, he/she must be appointed by the new agency before resigning from their previous assignment. If a break in service occurs, the individual will be responsible for meeting the current minimum training requirements as required by Regulation 1007(b).

The proposed amendments to Commission Procedure H-3 is to establish a lateral transfer provision for current Level I and Level II reserve peace officers. These amendments are supported by numerous agencies and training presenters. The proposed regulatory language is included as Attachment A.

If the Commission agrees with the amendments, it is proposed that the Notice of Proposed Regulatory Action process be used. *If no one requests a public hearing*, the amendments would become effective 30 days after approval by the Office of Administrative Law.

RECOMMENDATION

It is recommended that the Commission, subject to the results of the Notice of Proposed Regulatory Action, approve the amendments to Commission Procedure H-3 as described.

POST ADMINISTRATIVE PROCEDURES MANUAL

COMMISSION PROCEDURE H-3

RESERVE OFFICER TRAINING

3-1 through 3-2 continued

3-3 subject of another item on this agenda

3-4. **Exemption to Minimum Training:** The Commission has established the following exemptions to the reserve peace officer training requirements:

- a. Only Any reserve peace officers appointed prior to January 1, 1979, may be exempted by the appointing authority from Level I or Level II training requirements. (See Penal Code section 832.6, Stats. 1977 C. 987)
- b. Any reserve peace officer who has previously satisfied specified training requirements and has been serving as a Level I or Level II reserve officer in one law enforcement agency, shall be deemed to remain qualified as to POST minimum reserve training requirements if the reserve officer accepts a new appointment at the same level in another law enforcement agency, without a break in service, on or after July 13, 1999 [Penal Code section 832.6(a)(5)]

3-5 through 3-7 continued

Commission on Peace Officer Standards and Training

REGULATORY ACTION: TO AMEND COMMISSION PROCEDURE H-3

INITIAL STATEMENT OF REASONS

The Commission on Peace Officer Standards and Training (POST) proposes to amend Commission Procedure H-3. The proposed amendments are a direct result of Governor Davis signing Senate Bill 359 (Knight) on July 13, 1999 that allows Level I and Level II reserve officers to laterally transfer between law enforcement agencies. The proposed amendments are supported by numerous agencies and training presenters.

JUSTIFICATION FOR AMENDMENTS TO PROCEDURE H-3

- H-3-4 An introductory heading is being added for consistency
- H-3-4(a) Changes made for consistency
- H-3-4(b) Language is added to establish a lateral transfer provision for Level I and Level II reserve officers to comply with SB 359.

**NOTICE OF PROPOSED REGULATORY ACTION TO AMEND COMMISSION
REGULATION 1007 AND PROCEDURES H-3 AND H-5**

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Sections 13503 of the Penal Code (powers of the Commission on POST) and Section 13506 (authority for Commission on POST to adopt regulations), and in order to interpret, implement and make specific Sections 13510 (authority for the Commission on POST to adopt and amend rules establishing minimum standards for California local law enforcement officers) and 13510.5 of the Penal Code (authority for the Commission on POST to adopt and amend standards for certain other designated California peace officers), proposes to adopt, amend or repeal regulations in Chapter 2 of Title 11 of the California Code of Regulations.

INFORMATIVE DIGEST

Following a public hearing on January 21, 1999, the Commission approved changes in Commission regulations and procedures that revised entry level training requirements for reserve peace officers. The revisions were a direct result of three Senate Bills [SB 1874 (1995), SB 786 (1998) and SB 1417 (1999)] which amended Penal Code Section 832.6 and mandated changes in the areas of assignment, supervision, and training. Regulation 1007 and Procedure D-1 were amended to establish the new Regular Basic Course - Modular Format as the new training system for reserve peace officers.

The new system replaced the Module A, B, C, and D format which was formerly used to provide entry level training for reserve peace officers. Level III and II reserve officers who were trained under the Module A, B, and C format had until June 30, 1999 to be appointed as a peace officer. Appointments made after July 1, 1999 required the reserve officers to successfully complete the new Level III and/or Level II Module of the Regular Basic Course - Modular Format.

The primary reason for establishing a new entry level training system for reserve peace officers was to address the changes in assignment, supervision, and training requirements caused by legislation. There was never any intention to adversely impact students from becoming appointed as reserves, or agencies from hiring reserve peace officers. However, through contacts with agencies, reserve training presenters, and students, staff has determined that there has been an adverse impact caused by the implementation of the new training system. Staff has identified several reasons for this situation.

First, there has been a delay in certifying the new training modules. The delay has been attributed to the fact that the curriculum for the new training modules is based upon the Regular Basic Course learning domains which is more complex to present than the old Module A, B, and C format curriculum. In addition, both the Level III and Level II Modules require testing that was not included in the old Module A, B, and C format. Therefore, the presenters must build these new testing requirements into their presentations. In order to make these significant changes to their courses, college presenters must get approval from the college's curriculum committee. A good majority of these committees meet only once or twice a year. Once the committee approves the curriculum changes it can still take another six months to a year before the course can be presented due to the need to publish the changes in the college catalog and class semester schedule.

Since the new modular format system is based upon a building block approach and that each preceding module is a prerequisite for admittance into the next, presenters focused on getting the Level III Module certified first. The new Level III Module is a two-part module consisting of the PC 832 course (part 1) and the new Level III course (part 2). The availability of the Level III Module does not seem to be an issue since the PC 832 course is the same as the old Module A and is already certified for presentation by 77 presenters. In addition, nine presenters have already been certified to present the new Level III course and several others are in the process. However, the lack of availability of the Level II Module is a concern.

Second, there has been a higher demand for Level II reserve peace officers since the training requirements for Level I reserves was increased to the Regular Basic Course in January 1997. To handle that demand, training presenters were continuing to offer the Module B course. There were 32 presentations of Module B conducted between January and June 1999. Unfortunately some agencies, due to limited resources, were unable to complete background investigations on Level II applicants from these 32 presentations prior to July 1, 1999 which was the deadline established in POST regulations for Level II reserve to have been appointed using the previous training requirements. A survey of a cross section of reserve training presenters indicates that there may be 200-400 students who were effected.

Given the lack of availability of the Level II Module and the increased demand for Level II reserves, staff proposes amendments to Commission Regulation 1007(b)(2) and Procedures H-3 and H-5 modifying the Level II training requirements for appointments made between January 1, 2000 and June 30, 2000 to either successful completion of Modules A and B or the new Level III and Level II Modules of the Regular Basic Course Modular Format. This will give presenters adequate time to get the new modular format courses certified, while at the same time we will be accommodating agencies who are in need of Level II reserves and those students who were not able to be appointed to a Level II position prior to July 1, 1999.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed actions. All written comments must be received at POST no later than 4:30 p.m. on ****. Written comments should be directed to Kenneth J. O'Brien, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083.

A public hearing is not scheduled. Pursuant to Government Code Section 11346.8 any interested person, or his or her duly authorized representative, may request in writing, no later than **** that a public hearing be held.

ADOPTION OF PROPOSED REGULATIONS

Following the close of the public comment period, the Commission may adopt the proposal substantially as set forth without further notice or may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before the date of adoption, the text of any modified language, clearly indicated, will be made available at least 15 days before adoption to all persons whose comments were received by POST during the public comment period, and all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date of which the revised text is made available.

TEXT OF PROPOSAL

Copies of the Statement of Reasons and exact language of the proposed action may be obtained by submitting a request in writing to the contact person at the address below. This address also is the location of all information considered as the basis for these proposals. The information will be maintained for inspection during the Commissions' normal business hours (8 a.m. to 5 p.m., Monday through Friday).

ESTIMATE OF ECONOMIC IMPACT

Fiscal impact on Public Agencies including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Costs to any Local Agency or School District for which Government Code Section 17561 Requires Reimbursement: None

Declaration Relating to Impact on All California Businesses Including Small Businesses: The Commission on Peace Officer Standards and Training, in the development of the proposed regulation, has assessed the potential for adverse economic impact on businesses in California, including the ability of California businesses to compete with businesses in other states, and has found that the proposed amendment of Regulation 1005 will have no effect. This finding was based on the determination that the proposed amendment to Regulation 1005 in no way applies to businesses.

Cost impact on Private Persons or Entities: None

Housing Costs: None

ASSESSMENT

The adoption of the proposed amendments to this regulation will neither create nor eliminate jobs in the state of California, nor result in the elimination of existing businesses or create or expand businesses in the state of California.

CONSIDERATION OF ALTERNATIVES

In order to take this action, the Commission must determine that no alternative considered by the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquiries concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Leah Cherry, Staff Services Analyst, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083, or by telephone at (916) 227-3891.

BULLETIN:

SUBJECT: AMENDMENTS TO PROCEDURE H-3 ESTABLISHING A LATERAL
TRANSFER PROVISION FOR LEVEL I AND II RESERVE OFFICERS

On October 28, 1999, the Commission approved amendments to Commission Procedure H-3. The amendments are a direct result of Governor Davis signing Senate Bill 359 (Knight) on July 13, 1999 which permits reserve officers who have previously satisfied specific training requirements and have been serving as a Level I or Level II reserve peace officer in one law enforcement agency to remain qualified as to POST minimum reserve training requirements, if the reserve officer accepts a new appointment at the same level in another law enforcement agency (lateral transfer).

Pursuant to provisions of the Administrative Procedures Act, the Commission invites input on this matter. Written comments relative to the proposed action must be received at POST no later than 4:30 p.m. on *****. The proposed amendments will become effective 30 days after approval by the Office of Administrative Law.

No public hearing is scheduled. Pursuant to Government Code Section 11346.8, any interested persons or duly authorized representative may request in writing, no later than *****, that a public hearing be held.

The attached Notice of Proposed Regulatory Action provides details concerning the proposed regulation changes for public comment. Inquiries concerning the proposed action may be directed to Leah Cherry, Staff Services Analyst, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083, or by telephone at (916) 227-3891.

KENNETH J. O'BRIEN
Executive Director

Attachment

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Report on Proposal to Modify Regulation 1080 for PC 832 Requalification Examination Process		Meeting Date July 15, 1999
Bureau Basic Training Bureau	Reviewed By Ken Whitman <i>[Signature]</i>	Researched By Chris Carey-Flores
Executive Director Approval <i>[Signature]</i>	Date of Approval 7-1-99	Date of Report June 11, 1999
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

In the space provided below, briefly describe the **ISSUE**, **BACKGROUND**, **ANALYSIS**, and **RECOMMENDATION**. Use additional sheets if required.

ISSUE

Should the Commission approve, subject to the Notice of Proposed Action process, modifications to Regulation 1080, PC 832 Requalification Examination Process, to move management of the process from the Commission to a POST-certified presenter?

BACKGROUND

The Commission has been managing the PC 832 Requalification Examination Process for a number of years. The current process has added an unnecessary layer of administrative steps that have created delays for both trainees seeking to enter the course and the presenters that are facilitating the testing process. In addition, it has required the development and maintenance of six annual contracts to facilitate the testing and examinations required by the Penal Code and the Commission.

Currently there are six POST-certified PC 832 presenters who provide the requalification examination process for students statewide. Under an annual contract with POST, these presenters deliver the required testing and evaluation of the students who are being requalified. Fees are charged for the testing and requalification. All of the presenters have been trained by POST to administer this process.

This process is only available to those persons who have already completed a POST-certified PC 832 course and are in need of requalification. The proposed modifications would provide a timely and easier process for both the trainees and the presenters.

ANALYSIS

It is proposed that this process be simplified and much of the process be turned over to five POST-certified presenters. At the conclusion of the process the presenter would notify POST that the student has successfully completed the PC 832 Requalification Process and POST would update the individual's record.

These presenters already provide certificates to those completing the actual PC 832 course and under the proposed modification they would also provide the requalification certificates and handle the bulk of the administrative tasks that are now provided by POST staff.

The proposed modifications to Regulation 1080 (a) and (b) explain the PC 832 Course Examination and the Requalification Requirements. The modifications also transfer many of the administrative functions to the POST-certified presenter. These administrative functions include the application process, the verification of documents submitted with the application, the notifications of test dates and locations, collection of fees, and providing the staff to administer the actual testing to the students. The presenter would also be responsible for reporting the results of the examination to POST, notifying the student of the testing results and administering a re-test if necessary, and generally managing the requalification process in much the same way that they manage the presentation of the PC 832 course.

This change is supported by the PC 832 presenters. It will eliminate the need for six annual contracts and provide a simplified process for students needing to requalify their PC 832 training. It is also proposed to designate five of the six existing presenters initially. One of the presenters has not administered any testing in the past three years and will be eliminated as a testing site. Additional sites could be designated in the future if the need arises.

Attachment A contains the proposed regulatory language.

If the Commission agrees to the proposed modifications, it is proposed that the Notice of Proposed Regulatory Action process be used. If no one requests a public hearing, the proposed changes will become effective 30 days after approval by the Office of Administrative Law.

RECOMMENDATION

It is recommended the Commission, subject to the results of the Notice of Proposed Regulatory Action, approve the modifications to Regulation 1080 as described above.

Commission on Peace Officer Standards and Training
Proposed Regulatory Language

1080. PC 832 Course Testing Examination and Requalification Requirements.

- (a) PC 832 Course Examination: Pursuant to section 832(a) of the Penal Code, persons who receive PC 832 training as a stand-alone POST-certified course or as part of a larger POST-certified course shall demonstrate satisfactory completion of the training by passage of a POST-developed or POST-approved examination or examinations. Passage of a written examination shall be required for the cognitive (knowledge) curriculum; passage of performance examinations shall be required for the noncognitive (skills) curriculum. This regulation does not apply to persons who satisfactorily complete the POST Regular Basic Course. Only those Presenters designated by POST shall be authorized to administer the PC 832 Requalification Examination.
- (1) Examination Procedures:
- (A) All examinations required by subsection 1080 (a) shall be administered immediately following the conclusion of the required PC 832 instruction.
- (B) All examinations shall be scored pass/fail.
- (C) Administration and scoring of all examinations shall be delegated to qualified course presenters who have received training in the administration of the examinations and who agree to abide by the terms of a formal test security agreement; all examinations shall be administered and scored in accordance with POST-specified procedures and passing scores.
- (D) The Commission may waive the requirement that all original examinations be administered immediately following the conclusion of training in those instances where the training is certified retroactively and the examinations were not administered as part of the training.
- (2) Examination Results: The examination results shall be provided to each examinee by the course presenter within 5 working days of the date of each examination.
- (3) Retesting: Persons failing the written examination shall be permitted one retest and shall be permitted reasonable time to prepare for the retest. Retests shall be administered by the course presenter within 90 days of the date of the original examination. In order to continue to pursue satisfaction of course requirements, persons who fail to achieve a passing score upon retesting of either the written or skills examination shall be required to repeat the related training. Persons who repeat the related training shall be considered as new students for testing purposes.
- (4) POST-Approved Examinations: The use of alternatives to the POST-developed examinations is subject to approval by POST. Course presenters seeking POST approval to use alternative examinations shall present evidence that the alternative tests were developed in accordance with recognized professional standards, and that alternative examinations are equivalent to the POST-developed examinations with respect to curriculum validity and test reliability. Evidence of tests score equating is required. Applications for approval of alternative examinations will be processed within seven days from receipt of original request.
- (b) Requalification Requirements: Any person who does not become employed as a peace officer within 3 years of successfully completing PC 832 training, or who has a 3-year or longer break in service as a peace officer subsequent to successfully completing PC 832 training, must requalify to exercise the

powers of a peace officer by either: (1) repeating and satisfactorily completing PC 832 training as a stand-alone course or within a larger POST-certified course, e.g., the Regular Basic Course, Regular Basic Course Modular Format, Reserve Training Module D, or (2) demonstrating continued mastery of PC 832 training material by passing the examinations enumerated in POST Regulation 1080 (a) through completion of the PC 832 Requalification Examination Process or the Basic Course Requalification Process described in 1080(b) and D-10. This subsection, 1080 (b), does not apply to persons who qualify for an exemption as per specified in Penal Code Section 832 (e) (2) and described in 1080(b)(2).

(1) Requalification Examination Procedures: The requalification examination process shall be the same as stated in 1080(a) - (a)(3) above.

(A) Eligibility: Persons seeking to be tested shall make written request to the Commission, and provide the Commission with verifiable information regarding prior successful completion of PC 832 training. This information shall include the name of the training institution (presenter) where training was completed, and the ending date of training. All requests to be tested must include payment of all applicable examination fees [see (F), below], in the form of a certified check or money order made payable to the Commission on POST. Application: Individuals seeking testing shall submit, to a POST-approved PC 832 Requalification Examination Presenter (Presenter), a written request that includes:

1. The individual's full name, mailing address, daytime phone number, and social security number;
2. A copy of the individual's PC 832 Course completion certificate or other verifiable documentation showing prior successful completion of a PC 832 Course. This documentation shall include the individual's name, the name of the Presenter where the training was completed, and the ending date of the training;
3. A certified check or money order payable to the Presenter (see F below for fees);
4. A criminal history clearance from the Department of Justice.*

*All requests to test for the firearms component from applicants who are not sponsored by a local or other law enforcement agency, or who are not peace officers employed by a state or local agency, department or district, shall include a criminal history clearance in compliance with PC 13510 prior to admission to firearms testing. No firearms testing shall be administered to any applicant prior to receipt of the Department of Justice criminal history clearance form.

5. The Presenter shall maintain, as a matter of record, all documents submitted by an individual who participates in the PC 832 Requalification Examination.

(B) Notification of Eligibility to be Tested: Only individuals who have previously completed POST-certified PC 832 training as a stand-alone course or within a larger POST-certified course as defined in 1080(b), are eligible to participate in the PC 832 Requalification Examination Process. Presenters shall verify all documents submitted by applicants. Persons Individuals seeking to be tested shall receive written notification from POST as to the Presenter regarding eligibility to be tested within 30 days of receipt by POST the Presenter of all documentation required per (A) above.

1. Persons receiving notification that they are ineligible to be tested ~~because of incomplete documentation~~ shall be given an explanation of what is needed to process the request. A person may submit a new request which will be processed according to subsection 1080 (B) above. POST shall have final approval or disapproval of the eligibility of any individual seeking admission to any part of the testing process.

~~Ineligibility to be tested based on nonverifiable information (cannot be verified in POST records or by the certified course presenter) will be stated in the written notification.~~

All applicable examination fees will be returned, with the notification, to those persons who are determined to be ineligible for testing either by the Presenter or by POST.

(C) Administration of Examinations:

1. ~~Every eligible person~~ Individuals eligible to be admitted to the examination process shall:
 - (a) be tested at a POST-approved location within 90 days of notification of eligibility to take the requalification exam.
 - (b) be notified as to the specific date, time, and location of testing at least 30 days in advance of the test.
2. Failure to appear for testing or retesting shall result in forfeiture of all applicable examination fees and loss of eligibility to be tested.

Persons desiring to be tested after failure to appear for a scheduled exam must reestablish eligibility to be tested by completing the requirements described in Regulation 1080 (b) (1) (A).

3. All examinations shall be administered by persons who have been approved by POST [see subsection 1080 (a) (1) (C)].
4. All examination results shall be mailed to POST by the examination administrator within 2 working days of the date of testing.

- (D) Notification Procedures: ~~POST The Presenter~~ shall notify all examinees in writing as to examination results within 5 five working days of ~~receipt by POST of all applicable test materials~~ requalification examination completion. The Presenter shall also issue a completion certificate showing that the individual successfully completed the PC 832 Requalification Examination.

- (E) Requalification Examination Retesting: One requalification exam retest shall be permitted for any test failed, contingent upon advance payment* of any applicable examination fee [see (F), below]. Such retesting must occur within 90 days of the requalification examination. For firearms and arrest performance examinations, students will have the option of either retesting immediately or scheduling a retest within 90 days.

Persons who fail to achieve a passing score upon requalification exam retesting, or who fail to appear for requalification exam retesting, shall be required to successfully complete the appropriate PC 832 training (i.e., Arrest Procedures, Firearms, or both) in order to meet the PC 832 Course requalification requirements of Penal Code Section 832(e).

- (F) Examination Fees: ~~POST~~ The Presenter shall charge fees for all examinations administered. The appropriate fees shall be determined by the Commission and shall not exceed actual test administration costs.

Applicable examination fees follow:

Written exam:	Arrest	\$100
Performance exams:	Firearms	\$150*
	Arrest	\$100*

* No charge for immediate retesting

(2) Exemptions:

- (A) A person who meets any of the following criteria as specified in Penal Code Section 832(e)(2) is exempt from the PC 832 Course Requalification Requirements:

1. Is returning to a management level law enforcement position at the second level of supervision or higher.
2. Has successfully completed the Basic Course Requalification Process as provided for in Commission Regulation 1008.
3. Has maintained proficiency by teaching the course described in PC 832 (a).

Required curriculum for the PC 832 course is comprised of two separate modules - Arrest Procedures and Firearms. Accordingly, a person may seek exemption under this provision for the Arrest Procedures module only, the Firearms module only, or the entire PC 832 course (both Arrest Procedures and Firearms).

For the purpose of granting an exemption on the basis of teaching experience, "maintained proficiency" shall be defined as having taught the entire module(s) for which an exemption is being sought. Additionally, exemptions shall be granted only for recent teaching experience that was gained within three years of the exemption request.

4. Has been employed continuously, with no more than a 60-day break in service between law enforcement employers, in another state or with a federal agency as a peace officer.
- (B) Written documentation determined by the department head as satisfying any of the exemptions listed in 1080 (b) (2) (A) shall minimally be retained by the employing agency for the duration of the individual's employment with the department. This retention period is recommended so that the employing agency can provide supporting documentation of the exemption, if it is requested during a POST inspection.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Report on Proposal to Modify Regulation 1081 to Establish POST Training Requirements for Rifles and Shotguns		Meeting Date October 28, 1999
Bureau Basic Training Bureau	Reviewed By Ken Whitman	Researched By Mario Rodriguez
Executive Director Approval 	Date of Approval 10-8-99	Date of Report September 27, 1999
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the **ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION**. Use additional sheets if required.

ISSUE

Should the Commission adopt, subject to public review process, amendments to Commission Regulation 1081 (a) (28) concerning General Purpose Rifle and Shotgun training for law enforcement officers as required by P.C. 12020 (b)(1)?

BACKGROUND

Senate Bill 359 was passed as urgency legislation effective July 13, 1999. The bill included provisions intended to exempt Level I and Level II reserve officers regarding the possession of short-barreled rifles and shotguns. The effect of this provision is to impose a **new** training requirement upon all peace officers including reserve officers. Current law (P.C. 12020) prohibits the possession of defined firearms (rifles with a barrel length less than 16" and shotguns with a barrel length less than 18" or either with an overall length less than 26") unless a specific exemption is provided. The new Penal Code Section 12020 (b)(1) is enclosed (Attachment A).

According to many law enforcement agencies and a committee of subject matter experts, a significant number of California law enforcement agencies have developed training and issued rifles to their patrol personnel over the last two years. In February 1997, during the North Hollywood bank robbery incident, it was demonstrated that the issued police weapons were not sufficient to counteract the massive firepower displayed by the two bank robbery suspects.

As a result of that highly-publicized incident many agencies in California and nationwide adopted patrol rifles and placed them in patrol vehicles. The subject matter experts also believe that California law enforcement agencies who have incorporated the use of rifles in patrol since the North Hollywood incident have developed policies and guidelines on their use, provided extensive training, repetition/drill, and weapon qualification as part of this transition to the use of the rifle by line personnel. Most of the agencies that have moved to issuing line level officers these rifles have developed the training course at the local level and have not sought to have it POST-certified. It is estimated that as many as 150-200 agencies statewide have provided training to the personnel using these rifles.

ANALYSIS

To establish this training requirement, the attached Proposed Regulatory Action (Attachment B) provides language for the addition of Subsection (a) (28) to Section 1081 and includes a two-part training course – Part I is for shotgun training (both long and short barrel), and Part II is for rifles (both long and short barrels). Peace Officers would complete only the part that is applicable as to the firearms issued to them.

Part I shotgun training can be satisfied by completing the Regular Basic Course, Reserve Modules I or II, or prior training from Reserve Modules A,B,C, or D. Virtually all law enforcement agencies that use shotguns have issued short-barreled versions in order to fit into patrol vehicles. Therefore, POST has for many years taken this into consideration in its training requirements for the Regular Basic Course and reserve officer training.

Part II rifle training is designed to be presented as POST-certified training either as a separate stand-alone rifle course or as part of a larger firearms course. Most attendees will be peace officers working in special assignments where the use of the rifle is part of their duties, or peace officers that are assigned to field functions where agency policy allows the use of rifles. The proposed course is a minimum 16 hours of specified content that includes required skill development and qualification with the weapon.

Attachment C is an expanded course outline for the proposed Rifle Training Course. An analysis of existing POST-certified rifle courses reveals that all of them would satisfy the short-barrel training requirements outlined in the legislation. It is also proposed that completion of the Regular Basic Course, Reserve Training Modules I or II, or Reserve Modules A, B, C, and D be a prerequisite for the Part II rifle course.

In developing the proposed training course, input was received from firearms subject matter experts and the California Department of Justice (See Attachment D). Because of the urgency for implementation, an abbreviated public notice process is proposed.

Penal Code Section 12020 (b) (1) requires that this training be POST-certified. This poses a problem for the law enforcement agencies who have already invested a large amount of time and resources developing comprehensive policies and training programs at the local level that were not POST-certified. POST is prepared to review previously completed training and consider it for certification. The review process will include analysis of the course outline, instructor resumes, rosters, hourly distribution, and other documentation to ensure that it meets the Commission training requirements outlined in Regulation 1081.

Proposed changes to Regulation 1081 (a) (28) must be adopted pursuant to the Administrative Procedures Act and it is proposed that the Notice of Proposed Regulatory Action process be used. These changes would become effective immediately upon approval of the Office of Administrative Law.

RECOMMENDATION

It is recommended that the Commission approve, subject the Notice of Proposed Regulatory Action process, the proposed amendments to Commission Regulation 1081 (a) (28).

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

Section 12020 of the Penal Code is amended to read:

12020 (a) Any person in this state who....

12020 (b) Subdivision (a) does not apply to any of the following:

(1) The sale to, purchase by, or possession of short-barreled shotguns or short-barreled rifles by police departments, sheriffs' offices, marshals' offices, the California Highway Patrol, the Department of Justice, or the military or naval forces of this state or of the United States for use in the discharge of their official duties or the possession of short-barreled shotguns and short-barreled rifles by peace officer members of a police department, sheriff's office, marshal's office, the California Highway Patrol, or the Department of Justice when on duty and the use is authorized by the agency and is within the course and scope of their duties and the peace officer has completed a training course in the use of these weapons certified by the Commission on Peace Officer Standards and Training.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are: In order for exemptions regarding the use and possession of firearms by reserve peace officers to become effective as soon as possible, it is necessary for this act to take effect immediately.

Commission on Peace Officers Standards and Training

PROPOSED REGULATORY ACTION: ADDITION OF 1081 (a) (28)

1081. Minimum Standards for Legislatively Mandated Courses

- (a) Approved courses, as specified in Commission Regulation 1005(g), pertain to training mandated by the Legislature for various kinds of peace officers and other groups for which the Commission has responsibility to establish minimum standards. Approved courses shall meet the following minimum content and hours. Requirements for certification and presentation of these courses are specified in Regulations 1052-1056.

(1) through (27) continued

(28) Part I – Shotgun Course (Long/Short Barrel) - 16 Hours
Penal Code section 12020 (b) (1) *

- (A) Law Update
- (B) Review of Use of Force Issues, Agency Policies, and Mission
- (C) Safety Issues
- (D) Nomenclature, Specifications and Capabilities
- (E) Firearm Care, Breakdown, and Cleaning
- (F) Tactical Considerations
- (G) Skill Development and Qualification

* This training requirement can be satisfied by completing the Regular Basic Course, Reserve Training Modules I or II, or previous Reserve Modules A,B,C, and D which contained POST-certified shotgun training.

Part II - Rifle Course (Long/Short Barrel) - 16 Hours
Penal Code section 12020 (b) (1) **

- (A) Law Update
- (B) Review of Use of Force Issues, Agency Policies and Mission
- (C) Safety Issues
- (D) Nomenclature, Specifications and Capabilities
- (E) Firearm Care, Breakdown, and Cleaning
- (F) Tactical Considerations
- (G) Skill Development and Qualification

** Prerequisite: Completion of the Regular Basic Course, Reserve Training Modules I or II, and III, or previous Reserve Modules A,B,C, and D.

POST

PROPOSED RIFLE COURSE CURRICULUM

- COURSE TITLE:** **RIFLE COURSE - 16 HOURS**
Includes all shoulder-fired weapons that are not a shotgun.
- COURSE GOAL:** To provide students with the information and hands-on experience needed to effectively use a Rifle.
- AUDIENCE:** Sworn Peace Officers, including Level I and Level II Reserve Officers who are being introduced to a rifle and will qualify and carry it on duty in the scope of their employment.

COURSE OBJECTIVES

Under the supervision of an instructor, and using an approved law enforcement Rifle each student will:

- I. Demonstrate their understanding of the Four Rules of Safe gun handling.
- II. Demonstrate the ability to field strip the weapon and to properly clean and maintain it.
- III. Be provided with and demonstrate understanding of the agency policy regarding the use of firearms.
- IV. Demonstrate the ability to properly load, unload, and fire the weapon and to clear malfunctions that might occur with the weapon.
- V. Demonstrate the ability to apply the fundamentals for rifle marksmanship to fire accurately from the prone, kneeling, sitting and standing positions.
- VI. Demonstrate proficiency with the weapon and obtain agency qualification.

EXPANDED COURSE OUTLINE

I. Laws and Agency Policy

- A. P.C. 12020
 - 1. Possession of Within Scope of Employment
- B. Agency Firearms Use and Use of Force Policies

II. Safety and Range Rules

- A. The Four Basic Safety Rules include
 - 1. Treat all guns as if they are loaded.
 - 2. Never point the muzzle at anything you are not willing to destroy.
 - 3. Keep your finger off the trigger until your sights are on the target.
 - 4. Always be sure of your target and beyond.
- B. Range Rules
 - 1. After weapons have been grounded, and the line has been called safe by an instructor do not touch the weapon until all students are back from their targets, and the instructor has given the okay.
 - 2. If a problem arises on the line, raise your non-gun-hand to summon an instructor.

III. Nomenclature, Specifications and Capabilities

- A. Nomenclature
 - 1. Front and Rear Sights
 - 2. Bolt Catch
 - 3. Magazine Release
 - 4. Safety/Selector
 - 5. Magazine
 - 6. Sling and Sling Attachments
- B. Specifications
 - A. Type of Weapon
 - B. Barrel Length
 - C. Overall Length
 - D. Caliber
 - E. Magazine Capacity
 - F. Weight (empty)
 - G. Type of Sights
 - H. Approximate Muzzle Velocity
- C. Capabilities
 - A. Maximum Range
 - B. Maximum Effective Range
 - C. Penetration of Soft Body Armor
 - D. Full/Semi-Auto

IV. Firearm Care, Disassembly/Assembly, and Maintenance

- A. Refer to the manufacturer's care and operation manual.

V. Basic Shooting Skills

- A. Stance/Position
- B. Sight Alignment/Picture
 - 1. Sight Alignment
 - 2. Top of front sight post centered in the rear peep.
 - 3. 100 percent focus is on the top edge of the front sight post. The rear peep and target are blurred.
 - 4. Instructor will illustrate proper sight alignment.
- C. Sight Picture
 - 1. Defined as the relationship of sight alignment to the target.
- D. Trigger Control
 - 1. Emphasize that this is the single most important element.
 - 2. Shooter must apply gradual pressure on the trigger for a surprise trigger break so as to not disturb sight alignment when the shot is made.
- E. Grip/Stock Weld
- F. Breathing
 - 1. Breath must be held at the moment the shot is made.
 - 2. Breathing while firing will cause vertical stringing of shots.
 - 3. Holding breath too long will cause vision to blur and muscles to tremble, so shot must be made before this happens.
- G. Follow Through
 - 1. Maintaining all the elements throughout the shot.

VI. Clearing Malfunctions and Stoppages

- A. In close quarter confrontations, consider immediate transition to the handgun
- B. Failure to fire
 - 1. "Tap, Rack, Assess"
 - a. Seat magazine by hitting it with heel of hand
 - b. Pull bolt to rear and release
 - c. Obtain sight picture
 - d. Assess if follow-up shots are necessary
 - 2. Stove pipe
 - a. Tilt rifle so that ejection port faces the ground
 - b. Pull bolt to rear and release
 - c. Obtain sight picture
 - d. Assess if follow-up shots are necessary
 - 3. Feedway stoppages.
 - a. Lock the bolt to the rear
 - b. Remove the magazine from the weapon
 - 1. Discard magazine

- c. Clear live rounds from the receiver and chamber
- d. Insert a fresh loaded magazine
- e. Chamber a round
- f. Obtain sight picture
- g. Assess if follow-up shots are necessary

X. Tactical Considerations

- A. Based on agency guidelines and training
- B. Physical environment
- C. Be aware of cover and concealment
- D. Rifle caliber rounds will penetrate soft body armor...(yours or theirs!)
- E. The General Purpose Rifle affords the opportunity to maintain safe distances to adversaries.
- F. The General Purpose Rifle affords an increased effective range over the service shotgun and handgun.
- G. The General Purpose Rifle affords more accuracy than a service shotgun with a rifled slug.
- H. The General Purpose Rifle is easier to load and re-load than a service shotgun.
- I. The General Purpose Rifle has a larger ammunition capacity than a service shotgun.

XI. Shooting Decision

- A. Know your abilities and limitations, and those of your weapon.
- B. Exercise fire discipline within agency guidelines and the parameters of applicable State and Federal laws.

XII. Skill Development

- A. Dry Firing Exercises
 - 1. Done on the range under the direct supervision of the instructors.
 - 2. Dry fire each position (standing, kneeling, sitting, and prone).
- B. Live Firing Exercises
 - 1. Done on the range under the direct supervision of the instructors.
 - 2. Live fire each position (standing, kneeling, sitting, and prone).
 - 3. Live fire at various distances based on agency mission and environment.
 - 4. Live fire at multiple targets.
 - 5. Precision shooting exercise.
 - 6. Low light exercises.
 - 7. Reloading and firing exercises.
 - 8. Malfunction exercises.
 - 9. Move and fire exercises.
 - 10. Close quarter tactical shooting.

POST RIFLES/SHOTGUNS CURRICULUM DEVELOPMENT COMMITTEE

Special Agent Supt. Mike Bullian
Division Firearms Officer
California Department of Justice

Det. Joe Dupuis
Orange PD

Dale Ferranto, Asst. Director
Firearms Division
California Department of Justice

Sergeant Reggie Frank
San Diego Police Department

Sgt. R. K. Miller
Huntington Beach PD


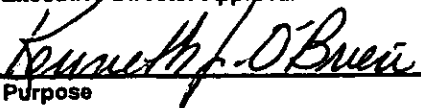
Tim Rieger, Attorney
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San Diego PD

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Mario Rodriguez
Senior Consultant
POST

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Proposed Changes to Legislatively Mandated 32 Hour School Police Officer Course, Commission Regulation 1081 (a) (20)		Meeting Date July 15, 1999
Bureau Training Program Services	Reviewed By 	Researched By Ted Prell
Executive Director Approval 	Date of Approval 5-27-99	Date of Report May 13, 1999
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		
<p><u>ISSUE</u></p> <p>Should the Commission, subject to the public review process, adopt the modification of Commission Regulation 1081 (a)(20) in regard to Legislatively Mandated Training for School Police Officers?</p> <p><u>BACKGROUND</u></p> <p>Effective October 1, 1990 the Commission approved a course of instruction for school police officers that was required by statute (Penal Code Section 832.2) to address guidelines and procedures for reporting offenses to other law enforcement agencies that deal with violence on campus and other related matters. The course, 32 hours in length, was developed with input from school police officers, managers, and others. The successful completion of this 32 hour course was compulsory for any school police officer.</p> <p>On September 23, 1998, Senate Bill (SB) 1627 was signed into law adding subsections (f), (g), and (h) to Penal Code Section 832.3 (Attachment A). Subsection (f) requires that any school police officer of a K-12 public school district or a California Community College district employed after July 1, 1999 successfully complete a basic course (academy) before exercising the powers of a peace officer. Subsection (g) requires the Commission to prepare a specialized course of instruction, for the training of school police officers to meet the unique safety needs of the school environment, and subsection (h) specifies when this training must be accomplished. Those school police officers hired before July 1, 1999 must successfully complete the specialized course no later than July 1, 2002. Those school police officers hired after July 1, 1999 must successfully complete the specialized course within 2 years of the date first employed.</p> <p><u>ANALYSIS</u></p> <p>An ad hoc committee of subject matter experts, course presenters, and others (Attachment B) was formed to review the current school police officer course, discuss existing material and information, and make recommendations reference course content and delivery. The advisory committee agreed that although the existing course has some valuable information there needed to be an update and restructuring of information and topics to be more contemporary in meeting the needs of the school police officer as they relate to the unique circumstances that exist in a school environment and is required by amendments to Penal Code Section 832.3.</p>		

Working together the committee developed a course that modifies the topics and content of the existing course (Attachment C). Major topics proposed for addition include Laws and Liability, Tactical Awareness in the Educational Environment, Campus/Community Oriented Policing and Problem Solving, Mediation/Conflict Resolution, Standardized Emergency Management/Incident Command Systems, and Dynamics of Student Behavior. These topics replace some of the existing ones because they are believed to be more contemporary. Total course hours of 32 remains unchanged.

On March 29 through April 1, 1999 a pilot of the above attached course was presented at Pasadena City College. The course was monitored by POST staff and attended by school police officers from both Community Colleges and K-12 public school districts. Based on input from students and instructors, and a review of the Course Evaluation Instruments, the material presented in Attachment C was determined to be appropriate and relevant to the unique circumstances and the special needs of a school police officer.

Attachment D provides the proposed language changes to POST Commission Regulation 1081 (a)(20) that would implement the recommendation.

Adoption of this course for in-service officers must be pursuant to the Administrative Procedures Act. A Notice of Proposed Regulatory Action (Attachment E) is recommended. Unless a request is made for a public hearing, the regulations would become effective upon approval by the Office of Administrative Law. The justification for the changes to the curriculum is contained in the Initial Statement of Reasons (Attachment F).

RECOMMENDATION

Subject to the results of a Notice of Regulatory Actions, approve the new School Police Officer Course curriculum and amend POST Commission Regulation 1081 (a)(20) as proposed with the effective date of July 1, 1999.

Attachments

Section 832.3 of the Penal Code

(f) Any school police officer first employed by a K - 12 public school district or California Community College district after July 1, 1999, shall successfully complete a basic course of training as prescribed by subdivision (a) before exercising the powers of a peace officer. A school police officer shall not be subject to this subdivision while participating as a trainee in a supervised field training program approved by the Commission on Peace Officer Standards and Training.

(g) The commission shall prepare a specialized course of instruction for the training of school peace officers, as defined in Section 830.32, to meet the unique safety needs of a school environment. This course is intended to supplement any other training requirements.

(h) Any school peace officer first employed by a K - 12 public school district or California Community College district before July 1, 1999, shall successfully complete the specialized course of training prescribed in subdivision (g) no later than July 1, 2002. Any school police officer first employed by a K - 12 public school district or Community College district after July 1, 1999, shall successfully complete the specialized course of training prescribed in subdivision (g) within two years of the date of first employment.

SCHOOL POLICE COURSE COMMITTEE

1. Steve Alvidrez, Investigator
Kern High School District Police
2. Dale E. Boatman, Chief
Hesperia Unified School District Police
3. Steven H. Craig
PORAC - President
4. Noreene DeKoning, Assistant to the Chief
Bureau of Security and Investigative Services
Department of Consumer Affairs
5. Peggy Dial
California State PTA
6. Chuck Giovannoni, Detective
Clovis Unified School District Police
7. Tom Hall, Chief
San Diego Unified School District Police Department
8. Marty T. Harris, Sergeant
Los Angeles Unified School District Police Department
9. Wesley Mitchell, Chief
Los Angeles Unified School District Police
10. Philip Mullendore, Director Police and Safety
Pasadena City College
Course Presenter
11. Larry Nicoll, Vice Principal
Eureka High School
Association of California School Administrators
12. Mike Quane, Administration of Justice Coordinator
DeAnza College
Course Presenter

13. Ted Romas, Chief
Irvine Valley College Campus Police
14. Gilbert "Sandy" J. Sandoval, Detective
Los Angeles Unified School District Police Department
POST Advisory Committee
15. Danny Staggs
California School Employees Association
16. Donald N. Swartz, Chief
Stockton Unified School District Police
17. Terry L. Stewart, Chief
Santa Rosa Junior College
18. Pete Sysak, Chief
Cuesta College Police
California College Police and University Police Chiefs Association
19. Gary Underwood, Chief
San Bernardino Unified School District Police
20. Robert Villarino, School Police Officer
Hesperia Unified School District Police

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

School Police Officer Course - 32 Hours

July 1, 1999

TOPICAL OUTLINE

- 1.0 Role and Responsibility of School Police
- 2.0 Laws and Liability
- 3.0 Tactical Awareness in the Educational Environment
- 4.0 Campus/Community Oriented Policing and Problem Solving
- 5.0 Mediation/Conflict Resolution
- 6.0 Standardized Emergency Management/Incident Command Systems
- 7.0 Dynamics of Student Behavior
- 8.0 Examination

Total Hours - 32

Note: Safe School Plan is referenced throughout this outline as it relates to the material being covered in the specific topic.

The number of hours designated for each topic are recommendations. The presenter may chose to spend more time delivering any of the topical areas and less time in any of the others.

LEARNING GOALS AND EXPANDED COURSE OUTLINE

1.0 Role and Responsibility of School Police (2 hours)

Learning Goal:

- 1. The student will be provided with an understanding of the history and development of campus law enforcement.
- 2. The student will be provided with an understanding of the school police officer's legal authority both on and off duty.
- 3. The student will be provided with a knowledge of the school police officer's responsibilities in the educational environment.
- 4. The student will be provided with a knowledge of the school police officer's professional image, and school structure and organization as they relate to campus personnel, ancillary groups and constituent groups.

- A. History and Development of Campus Law Enforcement
 - 1. Legislative History
 - 2. Role of Campus vs. Municipal/County Agency
 - 3. Roles and mission of public schools
- B. Right to Safe Schools - California Constitution Article I, Section 28 (c)
 - 1. For Staff
 - 2. For Students
 - 3. For Community
- C. Legal Authority
 - 1. P.C. 830.32 (a) & (b)
 - 2. E.C. 38000 - 72330
 - 3. Jurisdictional Limits
 - a. On and off campus
 - b. On and off duty
 - c. Concurrent jurisdiction
- D. Responsibility in Learning Environment
 - 1. Student as #1 client
 - a. Service concept
 - b. Support learning environment
 - 2. Mandatory Plans/Reporting
 - a. Safe school plans
 - (1) E.C. 35294
 - (2) 20 USC 1092
 - b. California Safe Schools Assessment
 - (1) PC 628
 - (2) E.C. 67380
 - c. Kristin Smart campus safety act
 - (1) E.C. 67381
- E. Structure and Organization of Schools
 - 1. Funding
 - a. ADA
 - b. FTES
 - 2. Table of Organization
 - 3. Administrative Roles
 - a. Board of Trustees
 - b. Superintendent
 - c. Principals - Functional supervision
 - d. Vice Principals - Assistant Principals - Deans
 - e. Faculty
 - f. Classified Staff
 - 4. Ancillary Groups
 - a. PTSA/PTA/PTO/Etc.
 - b. Student groups
 - c. Site Councils

- d. Booster clubs
 - e. Shared governance groups
 - f. Labor unions
 - (1) Internal
 - (2) External
 - g. Foundations
 - h. Advisory groups
- F. Intra/Inter Relations With Constituent Groups
- 1. Positive Contacts/Role Model/Professional Image
 - a. Mentoring (to students)
 - b. Ethical Behavior/Officer Conduct
 - (1) On duty
 - (2) Off duty
 - c. Sensitivity to campus issues
 - (1) Responsibility of site administrator to manage facility
 - (2) Relationship to faculty
 - (3) Relationship to other support personnel
 - (4) Arrest, Investigations, and other confidential issues
 - (a) Students
 - (b) Staff

2.0 Laws and Liability (6 hours)

Learning Goal:

1. The student will be provided with an understanding of the circumstances under which searches and seizures can be made in the educational environment.
2. The student will be provided with an understanding of the concept of In Loco Parentis and Paren Patria.
3. The student will be provided with an understanding of the student discipline process.
4. The student will be provided with an understanding of the role of the different stakeholders in the legal process in the school environment.
5. The student will be provided with an understanding of crimes as they relate to on-campus violations. They will be able to recognize when a violation has occurred, identify the crime by its common name, and classify them as misdemeanors or felonies.
6. The student will be provided with a knowledge of the types of incidences that will come to their attention that will require a report to be filed.
7. The students will be provided with an understanding of the liability issues, both on and off campus, that are inherent in the school environment.
8. The student will be provided with an understanding of privacy issues as they relate to student records.

A. Search and Seizure

1. Consensual Encounters, Detentions and Arrests
 - a. Reasonable suspicion and Probable cause
 - (1) TLO v. New Jersey
 - (2) In Re: Joseph G
 - (3) In Re: Latasha W
 - b. School officials (non-sworn) not held to the same standard as peace officer.
2. Arrests
 - a. P.C. 243.5 - Battery on a school ground
 - b. E.C. 44807 - Use of Force by School Administrators
 - c. E.C. 48264 - Arrest of Truants
 - d. E.C. 49001 - Corporal Punishment
3. Searches
 - a. P.C. 626.11 - Community College Searches
 - b. E.C. 49331 - Removing Injurious Objects - (Defined in E.C. 49330)
 - c. Reasonable suspicion v. Probable cause standard
 - d. E.C. 49050 Prohibited Searches

B. Conduct on Campus

1. In Loco Parentis - Parens Patriae
2. Trespass - Safe school zone
 - a. P.C. 626, et al
 - b. P.C. 627
 - (1) Registration
 - (2) Outsider defined
 - c. P.C. 602j
 - d. P.C. 653g
3. Disturbances
 - a. E.C. 32211 - Interference with classes (K-12)
 - b. P.C. 647b - Loitering about adult schools
 - c. P.C. 626.7 (K-12)
 - d. P.C. 602.10 - Disruptive presence
 - e. P.C. 626.8 - Disruptive presence
 - f. P.C. 415/515.5 - Fighting
 - g. P.C. 308b - Smoking
4. Student Discipline
 - a. Expulsion/Suspension
 - (1) E.C. 48900 A-O
 - (2) E.C. 76033
 - (3) E.C. 48900.2 AND E.C. 212 - Sexual Harassment
 - (4) E.C. 48900.3 - Hate Crimes
 - (5) E.C. 33032.5 - Hate Crimes definition
 - (6) E.C. 48900.4 - Harassment, Threats or Intimidation

- (7) E.C. 48900.5 - Special Education
 - b. E.C. 48915 - Mandatory Expulsion
 - c. E.C. 48901.5 - Electronic Equipment
 - d. Attendance
 - (1) Truancy - E.C. 48264
 - (2) Student Attendance Review Board (SARB) - E.C. 48291
- 5. The Discipline Process - Due Process - Legal Process
 - a. K-12
 - b. Community College
 - (1) Student Code of Conduct
 - c. Role of Administrator
 - d. Role of Police
 - e. Role of Board of Trustees
 - f. Role of Administrative Hearing Panel
 - g. Student Rights
- C. Crimes Against Persons
 - 1. Threats
 - a. P.C. 69/71
 - b. P.C. 422
 - 2. Assaults - Battery
 - a. P.C. 646.9 - Stalking
 - b. E.C. 87708 Abuse of Instructor - Community College
 - c. P. C. 241.2,3,4, and 6 - Assault of School Officials
 - d. P. C. 243.2,3,5, and 6 - Battery on School Officials
 - e. P.C. 243.4 - Sexual Battery
 - f. P.C. 245, etc. - Assault with a Deadly Weapon on School Officials
 - 3. TRO's, Stay-away Orders, Abduction Issues
 - a. P.C. 277 - Child Abduction
 - b. P.C. 272 - Contributing
 - c. P.C. 647.6 - Hate Crimes
 - d. Domestic Violence
 - e. Missing Persons
- D. Crime Against Property
 - 1. E.C. 48905 - Destruction of Employee Property
 - 2. P.C. 594, 594.2, 594.3
 - 3. P.C. 469 Keys - Duplication
 - 4. E.C. 19911 - Destruction of Library Property
 - 5. P.C. 502 - Computer Crimes
- E. Weapons
 - 1. P.C. 626.9 - Gun Free School Zone
 - 2. P.C. 626.95 - Firearms on Playgrounds
 - 3. P.C. 626.10 - Other Weapons
 - 4. Injurious Objects
 - 5. Attorney General Opinion 96-906 - Definition of Possession

- F. Mandatory Reporting
 - 1. Child Abuse
 - a. Reporting
 - b. Recognition
 - c. Campus Procedures
 - d. Removal of Child by Peace Officer - E.C. 48906
 - e. K-12 police not authorized for Law Enforcement Notification
 - 2. Reporting Assaults
 - a. E.C. 87014 - Community Colleges
 - b. E.C. 44014 - Against Employee
 - c. E.C. 48902 - Suspended Students
 - d. E.C. 76035 - Community Colleges
 - 3. Local District Reporting Procedures
- G. Liability
 - 1. Off campus
 - 2. On campus
 - a. San Francisco v. Peterson
 - 3. E.C. 48900: K-12 - Student conduct off campus (portal to portal)
 - 4. E.C. 44808 - Liability of Students Off Campus
- H. Student Records
 - 1. FERPA
 - 2. FERPA Exceptions
 - 3. "Cleary" Bills
 - 4. Campus Safety Act

3.0 Tactical Awareness in the Educational Environment (6 hours)

Learning Goal:

- 1. The student will be provided with an understanding of the unique circumstances that exist in a school environment that require an added awareness of:
 - Potential of dangerous situations
 - Trespassers – Visitor control
 - Time frame for more potential problems (break, lunch, after school, etc.)
 - 2. The student will be provided with the skills and ability needed for effectively dealing with potentially dangerous situations on and around the campus.
 - 3. The student will be provided with an understanding of crime scene management on or about school campuses.
 - 4. The student will be provided with an understanding of the principals of crowd management and control on and around campus and other identified locations.
 - 5. The student will be provided with an understanding of the techniques of interview and interrogation of minors.
-

- A. Weapons on Campus - responses
 - 1. Officer and Administration - Responsibilities
 - 2. Tactical Considerations and options unique to campus environment
 - a. Classroom
 - b. Cafeteria
 - c. Sporting events
 - d. Other identified locations
 - 3. Risk analysis and perimeter control
 - 4. Visitor control issues
 - 5. Signage, documentation, and site procedures
 - 6. Support of other campus personnel and the community
- B. Trespasser(s)
 - 1. Classroom
 - 2. Cafeteria
 - 3. Sporting events
 - 4. Other identified locations
- C. Disturbances
 - 1. Classroom
 - 2. Cafeteria
 - 3. Sporting events
 - 4. Other identified locations
- D. Crowd and Event Management
 - 1. Planning
 - 2. Dismissal, Breaks and Lunches
 - 3. Special events
- E. Crime Scenes
 - 1. Special campus considerations
 - 2. Crowd control
 - 3. Jurisdictional considerations
 - 4. Incidents adjacent to the campus
- F. Interview and interrogation on campus

4.0 Campus/Community Oriented Policing and Problem Solving (4 hours)

Learning Goal:

- 1. The student will be provided with an understanding of the importance of utilizing Campus/Community Problem Solving Models.
- 2. The student will be provided with the ability to apply problem solving concepts to a variety of situations in the school environment.

-
- A. History and Development of Community Problem Solving
 - B. Presentation of Problem Solving Models

1. SARA
2. Six Point Model
3. Safe Schools Plan
- C. Learning Activities
- D. Analyze Previous Models
 1. SARA - Best suited for College / K-12
 2. Six Point Model - Best suited for College / K-12

5.0 Mediation/Conflict Resolution (4 hours)

Learning Goal:

1. The student will be provided with an understanding of the importance of, and the techniques for, utilizing Mediation/Conflict Resolution skills.
 2. The student will be provided with the skills and ability to use communication skills to defuse conflict and obtain voluntary compliance.
 3. The students will be provided with the skills and knowledge to provide age-appropriate mediation to resolve conflicts.
-

- A. Communication Skills
 1. Approachability
 2. Professional Contact/Vocabulary
 - a. Demeanor
- B. Mediation Model(s)
- C. Learning Activities
- D. Critiquing Activities

6.0 Disasters and Emergencies and Crisis (2 hour)

Learning Goal:

1. The student will be provided with an understanding of the District's responsibilities for managing disasters and emergencies.
 2. The student will be provided with a basic understanding of the concept of mutual aid as it relates to emergencies on campus.
 3. The student will be provided with the skills and knowledge needed to contact and assist in response to medical emergencies and emotional crisis situations likely to be encountered on campus.
-

- A. Campus Disasters
 1. FEMA/OES

2. SEMS
3. ICS
4. California Safe Schools Plan
5. Medical Emergencies
6. Emotional crisis situations
- B. Mutual Aid
- C. District Involvement

7.0 Dynamics of Student Behavior (7 hours)

Learning Goal:

1. The student Officer will be provided with an understanding of, and the ability to, recognize student behavior as it relates to providing a safe school environment:
 1. A knowledge of a gang culture and dynamics and/or clique structure
 2. An understanding of avenues of *referral*
2. The student Officer will be provided with the skills and ability to recognize that aberrant behavior may be the result of mental health issues/problems.
3. The student will be provided with the ability to recognize the major personality disorders that are responsible for potential violent outbreaks.
4. The student will be provided with an understanding of the specific education process as it relates to discipline of special education students.

-
- A. Mental Health & Development (Adolescent)
 1. Peer Group Influence, Etc., inclusive
 2. Substance Abuse - Student and Family
 3. Defiance
 4. Dysfunctional Families
 5. Cultural Differences
 6. Special Education
 - B. Referral Agencies
 - C. Dynamics of the Gang
 1. Interventions - Officer
 2. Informal Leaders
 3. Mediation
 4. Social, Economic Status - Community Norms

8.0 Examination (1 hour)

1081. Minimum Standards for Legislatively-Mandated Courses.

- (a) Approved courses, as specified in Commission Regulation 1005(g), pertain to training mandated by the Legislature for various kinds of peace officers and other groups for which the Commission has responsibility to establish minimum standards. Approved courses shall meet the following minimum content and hours. Requirements for certification and presentation of these courses are specified in Regulations 1052 - 1056.

(1) through (19) continued

- (20) School Peace Officer -32 hours
(Penal Code Section 832.2 3)

- (A) ~~Role of School Peace Officers~~ Role and Responsibility of School Police
- (B) ~~Laws Impacting School Campuses~~ Laws and Liability
- (C) ~~Maintaining Campus-Community Relations~~ Tactical Awareness in the Educational Environment
- (D) ~~Reporting Offenses to Other Law Enforcement Agencies~~ Campus/Community Oriented Policing and Problem Solving
- (E) ~~Violence/Gangs on Campus~~ Mediation/Conflict Resolution
- (F) ~~Campus Parking, Traffic, and Crowd Control~~ Standardized Emergency Management/Incident Command Systems
- (G) ~~Facility Protection~~ Dynamics of Student Behavior
- (H) ~~Disasters and Emergencies~~ Written Examination

Note: ~~The Commission recommends that school peace officers who perform general law enforcement duties complete the Regular Basic Course prior to appointment or assignment as a peace officer.~~ This course is required for all school peace officers. Officers hired before July 1, 1999 must successfully complete this course by July 1, 2002. Officers hired after July 1, 1999 must successfully complete the course within two years of first employment.

Commission on Peace Officer Standards and Training

**NOTICE OF PROPOSED REGULATORY ACTION: MODIFICATION OF
COMMISSION REGULATION 1081(a)(20)**

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Sections 13503 and 13506 of the Penal Code, and in order to interpret, implement and make specific Section 832.3 of the Penal Code, proposes to adopt, amend, or repeal regulations in Chapter 2 of Title 11 of the California Code of Regulations.

INFORMATIVE DIGEST

Effective October 1, 1990, the Commission approved a course of instruction for school police officers that was required by statute (Penal Code Section 832.2) to address guidelines and procedures for reporting offenses to other law enforcement agencies that deal with violence on campus and other related matters. The course, 32 hours in length, was developed with the input of school police officers and others. The successful completion of this 32 hour course was compulsory for all school police officers.

On September 23, 1998, Senate Bill (SB) 1627 was signed into law. SB 1627 added subsections (f), (g), and (h) to Penal Code Section 832.3.

- Subsection (f) requires that any school police officer of a K-12 public school district or a California Community College district employed after July 1, 1999 successfully complete a basic course (academy) before exercising the powers of a peace officer.
- Subsection (g) requires the Commission to prepare a specialized course of instruction, no later than July 1, 1999, for the training of school police officers to meet the unique safety needs of the school environment.
- Subsection (h) specifies when this training must be accomplished. Those school police officer hired **before** July 1, 1999 must successfully complete the specialized course no later than July 1, 2002. Those school police officers hired **after** July 1, 1999 must successfully complete the specialized course within 2 years of the date first employed.

The Commission proposes to amend section (a)(20) to Commission Regulation 1081 to specify the minimum training for school police officers pursuant to SB 1627/Penal Code Section 832.3. This minimum training is 32 hours in length.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed action. All written comments must be received at POST no later than 4:30 p.m. on _____, 1999. Written comments should be directed to Kenneth J. O'Brien, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Blvd., Sacramento, CA 95816-7083.

A public hearing is not scheduled. Pursuant to Government Code section 11346.8, any interested person, or duly authorized representative, may request in writing, no later than _____, 1999 that a public hearing be held.

ADOPTION OF PROPOSED REGULATIONS

Following the close of the public comment period, the Commission may adopt the proposals substantially as described in this notice or may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before adoption, the text of any modified language clearly indicated will be made available at least 15 days before the date of adoption to all persons whose comments were received by POST during the public comment period, and all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated on this notice. The Commission will accept written comments on the modified text for 15 days after the date on which the revised text is made available.

TEXT OF PROPOSAL

Copies of the Statement of Reasons and exact language of the proposed action may be obtained by submitting a request in writing to the contact person at the address below. This address also is the location of all information considered as the basis for these proposals. The information will be maintained for inspection during the Commission's normal business hours (8 a.m. to 5 p.m., Monday through Friday).

ESTIMATE OF ECONOMIC IMPACT

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Declaration Relating to Impact on All California Businesses Including Small Businesses: The Commission on Peace Officer Standards and Training, in the development of the proposed regulation, has assessed the potential for adverse economic impact on businesses in California, including the ability of California businesses to compete with businesses in other states, and has found that the proposed amendment of Regulation 1081(a)(20) will have no effect. This finding was based on the determination that the proposed amendment of Regulation 1081(a)(20) in no way applies to businesses.

Cost Impact on Private Persons or Entities: None

Housing Costs: None

ASSESSMENT

The adoption of the proposed amendments to this regulation will neither create nor eliminate jobs in the state of California, nor result in the elimination of existing businesses or create or expand businesses in the state of California.

CONSIDERATION OF ALTERNATIVES

In order to take this action, the Commission must determine that no alternative considered by the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquiries concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Leah Cherry, Staff Services Analyst, 1601 Alhambra Blvd., Sacramento, CA 95816-7083 or by telephone at 916-227-3891.

Commission on Peace Officer Standards and Training

PROPOSED REGULATORY ACTION: MODIFICATION OF 1081.(a)(20)

School Peace Officer Course

INITIAL STATEMENT OF REASONS

Justification:

Effective October 1, 1990 the Commission approved a course of instruction for school police officers that was required by statute (Penal Code Section 832.2) to address guidelines and procedures for reporting offenses to other law enforcement agencies that deal with violence on campus and other related matters. The successful completion of this 32 hour course was compulsory for any school police officer.

On September 23, 1998, Senate Bill (SB) 1627 was signed into law. SB 1627 added subsections (f), (g), and (h) to Penal Code Section 832.3.

- Subsection (f) requires that any school police officer of a K-12 public school district or a California Community College district employed after July 1, 1999 successfully complete a basic course (academy) before exercising the powers of a peace officer.
- Subsection(g) requires the Commission to prepare a specialized course of instruction, no later than July 1, 1999, for the training of school police officers to meet the unique safety needs of the school environment.
- Subsection (h) specifies when this training must be accomplished. Those school police officer hired **before** July 1, 1999 must successfully complete the specialized course no later than July 1, 2002. Those school police officer hired **after** July 1, 1999 must successfully complete the specialized course within two years of the date first employed.

An ad hoc committee of subject matter experts and others was formed to review the current school police officer course, discuss existing material and information, and make recommendations reference course content and delivery. The committee agreed to an update and restructuring of information and topics to be more contemporary in meeting the needs of the school police officer, as they relate to the unique circumstances that exist in a school environment and is required by amendments to Penal Code Section 832.3. The committee developed a course that modifies the topics and content of the existing course.

The changes are in the titles of major topics, expansion of concepts and sub-topics and addition of topics/sub-topics that address contemporary issues not currently covered in the academy, or are addressed in the academy but not relative to the school environment. The minimum number of hours (32) for presentation of the course material remains the same.

Current Course

1. Role of the School Police Officer
2. Laws Impacting the School Police Officer
3. Maintaining Campus Community Relations
4. Reporting Offenses to Other Law Enforcement
5. Violence and Gangs on Campus
6. Campus Parking, Traffic and Control
7. Facility Protection
8. Disasters and Emergencies
9. Examination


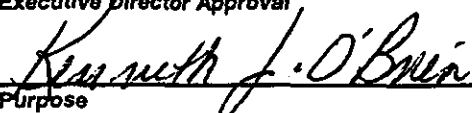
Proposed Course

1. Role and Responsibility of School Police
2. Laws and Liability
3. Tactical Awareness in the Educational Environment
4. Campus/Community Oriented Policing Agencies and Problem Solving
5. Mediation/Conflict Resolution
6. Standardized Emergency Management/ Incident Command Systems
7. Dynamics of Student Behavior
8. Examination

1. The title was changed from "*Role of the School Peace Officer*" to "*Role and Responsibility of School Police*." The sub-topics were expanded to introduce the school police officer to chain-of-command on campus for better communication and interaction and to aid the school police officer in making the transition from the academy, or other agencies, to the school environment.
2. The title was changed from "*Laws Impacting the School Police Officer*" to "*Laws and Liability*." Several of the sub-topics were expanded to address issues and laws that apply to the school environment. Instruction on the school-student discipline process and the role of the different school environment stakeholders in the legal process was added.
3. The title was changed from "*Maintaining Campus Community Relationships*" to "*Tactical Awareness in the Educational Environment*." This change provides the campus police officer with an understanding of the unique circumstances that exist in a school environment that require a different awareness and response than might be required by an allied agency. Some material from the current course topic #8 (which was deleted in the proposed course) is also included.
4. "*Reporting Offenses to Other Law Enforcement Agencies*" was deleted as a stand-alone topic and the instructional material is now covered in #2 and #3. Added "*Campus/Community Oriented Policing and Problem Solving*." This was done to give the campus police officer an understanding of community oriented policing and problem solving as it relates specifically to the school environment and the community that surrounds, and is affected by, the school and that may interact with the school, its students and employees.

5. "*Violence and Gangs on Campus*" was replaced by "*Mediation/Conflict Resolution*" (topic #5) and "*Dynamics of Student Behavior*." (topic #7, reference below). These two topics take a closer look at adolescent behavior, referral agencies, mental health and development, and professional communications as they relate to the school policing environment.
6. "*Campus Parking, Traffic and Control*" was eliminated as a stand-alone topic. The major sub-topics from #6 were added to #3 and expanded. "*Standardized Emergency Management/Incident Command Systems*" was added and addresses how these systems can assist the school police officer and be used effectively in dealing with disasters and emergencies in the school environment.
7. "*Facility Protection*" was deleted as a stand-alone topic. The instructional material was moved to topic # 3 and expanded, #7 was replaced by "*Dynamics of Student Behavior*" which provides the school police officer with an understanding of student and gang behavior for a more positive impact on officer interaction with the student. Refer to topic #5.
8. "*Disasters and Emergencies*" was renamed "*Standardized Emergency Management/Incident Command Systems*" (refer to #6). The material was designed to provide the school police officer with a frame of reference on the types of systems for handling emergencies on and around campus that are available to them and how the use of these systems will benefit them in the educational environment.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Proposed Curriculum for Radar Training Implementing Vehicle Code Section 40802(c)(A) and (B)		Meeting Date July 15, 1999
Bureau Training Program Services	Reviewed By 	Researched By Ted Prell
Executive Director Approval 	Date of Approval 5-27-99	Date of Report May 13, 1999
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		
<p><u>ISSUE</u></p> <p>Should the Commission adopt, subject to the public review process, the addition of Commission Regulation 1081(a)(28) and (29) concerning radar training for law enforcement as required by Vehicle Code Section 40802(c)(A) and (B)?</p> <p><u>BACKGROUND</u></p> <p>Assembly Bill 2222, adds subparagraphs (c)(A) and (B) to Vehicle Code Section 40802 (Attachment A).</p> <p>Subparagraph (c)(A) requires that when radar is used for traffic enforcement purposes, the officer issuing the citation must have successfully completed a course of not less than 24 hours on the use of police traffic radar. Subparagraph (c)(B) requires when laser or any other electronic device is used to measure the speed of moving objects, the officer issuing the citation must have successfully completed the training required in subparagraph (A) and has also successfully completed an additional training course of not less than two hours on the use of laser or any other electronic device. Both courses are to be approved and certified by the Commission on Peace Officer Standards and Training.</p> <p><u>ANALYSIS</u></p> <p>An ad hoc committee of subject matter experts was formed (Attachment B) to review existing courses, material and information. A radar operators course and a traffic laser operators course (Attachment C and D) were developed to address both training requirements in the new legislation. Major topics proposed for the Radar Operator's course include Speed and Enforcement, History and Theory, Laws and Court Decisions, Stationary Radar Operation, Moving Radar Operation, Radar Effects, Visual Speed Determination, Radar Evidence, Practical Exercises and Testing and Courtroom Testimony. The major topics proposed for the Traffic Laser Operator's course include Radar Review, Scientific Principals, General Operational Considerations, Operation of Specific Devices, and Legal Considerations.</p> <p>POST has certified numerous radar operator courses in the past, most of which are 24 hours in duration. Although there were no legislative mandates to provide radar training, the past Radar Operator courses were virtually mandated by judicial decisions. The new mandate in Vehicle Code Section 40802 is not expected to have much of an impact because most users of radar already comply with the direction of the judicial decisions.</p>		

POST has also certified two laser courses, one 16 hours in duration, the other 12 hours in duration. Because of the recency of the use of laser technology in traffic speed enforcement the assembled subject matter experts agreed that there are no California judicial decisions relevant to training in the use of laser technology in traffic speed enforcement to provide direction on the type and length of laser training needed by law enforcement users.

After a review of the current POST - certified laser operator courses, current standards set by the National Traffic Highway Safety Administration, current standards set by the courts relevant to radar training, California Highway Patrol standards, and based on their own training and experience the committee of subject matter experts concurred that a minimum of eight hours was needed to provide adequate training in the use of laser in traffic speed enforcement to meet the scrutiny of judicial review.

Attachment E provides the proposed language for the addition of subsections (a)(28) and (29) to POST Regulation 1081.

Adoption of these courses for in-service officers must be pursuant to the Administrative Procedures Act. A Notice of Proposed Regulatory Action (Attachment F) is recommended. Unless a request is made for a public hearing, the regulations would become effective upon approval by the Office of Administrative Law. The justification for the changes to the curriculum is contained in the Initial Statement of Reasons (Attachment G).

RECOMMENDATION

Approve, subject to the public review process, the new Police Radar operator and Police Laser Operator curricula and the addition of POST Regulation 1081 (a) (28) and 1081 (a) (29) to become effective upon approval of the Office of Administrative Law.

BILL NUMBER: AB 2222 CHAPTERED
BILL TEXT

CHAPTER 1037
FILED WITH SECRETARY OF STATE SEPTEMBER 30, 1998
APPROVED BY GOVERNOR SEPTEMBER 30, 1998
PASSED THE ASSEMBLY AUGUST 27, 1998
PASSED THE SENATE AUGUST 26, 1998
AMENDED IN SENATE JULY 21, 1998
AMENDED IN SENATE JUNE 29, 1998
AMENDED IN SENATE JUNE 8, 1998
AMENDED IN ASSEMBLY APRIL 13, 1998

INTRODUCED BY Assembly Member Hertzberg

FEBRUARY 19, 1998

An act to amend Section 40802 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2222, Hertzberg. Vehicles: speed limits: enforcement: radar.

Existing law defines a speed trap as, among other things, a particular section of a highway with a prima facie speed limit, as specified, that is not justified by an engineering and traffic survey conducted within 5 years prior to the date of an alleged violation, if enforcement of the speed limit involves the use of radar or any other electronic device that measures the speed of moving objects, except as specified. Existing law expressly excludes local streets and roads from the definition of a speed trap.

This bill would provide an alternative definition of "speed trap" that would require that the engineering and traffic survey have been conducted within either 7 or 10 years, as specified. The alternative definition would apply only when specified actions by the officer issuing a notice to appear and the prosecutor have occurred.

The bill would define "school zone", and would exclude a school zone from both the definition of speed trap in existing law and the alternative definition provided under the bill.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 40802 of the Vehicle Code, as amended by Section 2 of Chapter 104 of the Statutes of 1996, is amended to read:

40802. (a) A "speed trap" is either of the following:

(1) A particular section of a highway measured as to distance and with boundaries marked, designated, or otherwise determined in order that the speed of a vehicle may be calculated by securing the time it takes the vehicle to travel the known distance.

(2) A particular section of a highway with a prima facie speed limit that is provided by this code or by local ordinance under subparagraph (A) of paragraph (2) of subdivision (a) of Section 22352, or established under Section 22354, 22357, 22358, or 22358.3, if that prima facie speed limit is not justified by an engineering and traffic survey conducted within five years prior to the date of the alleged violation, and enforcement of the speed limit involves the use of radar or any other electronic device that measures the speed of moving objects. This paragraph does not apply to a local

street, road, or school zone.

(b) (1) For purposes of this section, a local street or road is defined by the latest functional usage and federal-aid system maps submitted to the federal Highway Administration, except that when these maps have not been submitted, or when the street or road is not shown on the maps, a "local street or road" means a street or road that primarily provides access to abutting residential property and meets the following three conditions:

(A) Roadway width of not more than 40 feet.

(B) Not more than one-half of a mile of uninterrupted length. Interruptions shall include official traffic control devices as defined in Section 445.

(C) Not more than one traffic lane in each direction.

(2) For purposes of this section "School zone" means that area of road contiguous to a school building or the grounds thereof, and on which is posted a standard "SCHOOL" warning sign, while children are going to or leaving the school either during school hours or during the noon recess period.

(c) (1) When all the following criteria are met, paragraph (2) of this subdivision shall be applicable and subdivision (a) shall not be applicable:

(A) When radar is used, the officer issuing the citation has successfully completed a radar operator course of not less than 24 hours on the use of police traffic radar, and the course was approved and certified by the Commission on Peace Officer Standards and Training.

(B) When laser or any other electronic device is used to measure the speed of moving objects, the officer issuing the notice to appear has successfully completed the training required in subparagraph (A) and an additional training course of not less than two hours approved and certified by the Commission on Peace Officer Standards and Training.

(C) (i) The prosecution proved that the officer complied with subparagraphs (A) and (B) and that an engineering and traffic survey has been conducted in accordance with subparagraph (B) of paragraph (2). The prosecution proved that, prior to the officer issuing the notice to appear, the officer established that the radar, laser, or other electronic device conformed to the requirements of subparagraph (D).

(ii) The prosecution proved the speed of the accused was unsafe for the conditions present at the time of alleged violation unless the citation was for a violation of Section 22349, 22356, or 22406.

(D) The radar, laser, or other electronic device used to measure the speed of the accused meets or exceeds the minimal operational standards of the National Traffic Highway Safety Administration, and has been calibrated within the three years prior to the date of the alleged violation by an independent certified laser or radar repair and testing or calibration facility.

(2) A "speed trap" is either of the following:

(A) A particular section of a highway measured as to distance and with boundaries marked, designated, or otherwise determined in order that the speed of a vehicle may be calculated by securing the time it takes the vehicle to travel the known distance.

(B) (i) A particular section of a highway or state highway with a prima facie speed limit that is provided by this code or by local ordinance under subparagraph (A) of paragraph (2) of subdivision (a) of Section 22352, or established under Section 22354, 22357, 22358, or 22358.3, if that prima facie speed limit is not justified by an engineering and traffic survey conducted within one of the following time periods, prior to the date of the alleged violation, and enforcement of the speed limit involves the use of radar or any other electronic device that measures the speed of moving objects:

(I) Except as specified in subclause (II), seven years.

(II) If an engineering and traffic survey was conducted more than seven years prior to the date of the alleged violation, and a

registered engineer evaluates the section of the highway and determines that no significant changes in roadway or traffic conditions have occurred, including, but not limited to, changes in adjoining property or land use, roadway width, or traffic volume, 10 years.

(ii) This subparagraph does not apply to a local street, road, or school zone.

Ad Hoc Radar Course Committee

Officer Dave Flohr	Palo Alto Police Department
Deputy Oscar Garcia	Riverside County Sheriff's Department
Sergeant Gary Haigh	San Diego County Sheriff's Department
Officer Jason Hekker	California Highway Patrol
Officer Bill King	Milpitas Police Department
Senior Deputy John Popp	Ventura County Sheriff's Department
Sergeant Doug Schlieff	Santa Rosa Police Department
Sergeant Brent Schultz	California Highway Patrol
Officer Eric Weitzel	Folsom Police Department
Officer Dave Whitham	Santa Barbara Police Department

POLICE RADAR OPERATOR

TOPICAL OUTLINE

- 1.0 Speed and Enforcement
- 2.0 History and Theory
- 3.0 Laws and Court Decisions
- 4.0 Stationary Radar Operation
- 5.0 Moving Radar Operation
- 6.0 Radar Effects
- 7.0 Visual Speed Determination
- 8.0 Radar Evidence
- 9.0 Practical Exercises and Testing
- 10.0 Courtroom Testimony
- 11.0 Written Examination

Total Hours - 24

LEARNING GOALS AND EXPANDED COURSE OUTLINE

1.0 SPEED AND ENFORCEMENT

Learning Goal:

- 1. The student will be provided with the knowledge of the association between speed offenses, collisions, injuries and deaths.
 - 2. The student will be provided with an understanding of the benefits of an effective speed enforcement program.
-

- A. Speed in Relation to Traffic Safety
 - 1. Excessive speed overwhelms driver capabilities
 - 2. Excessive speed increases accident severity
 - 3. Historical trends have always linked speed with highway fatalities
- B. Speed Enforcement in Relation to Traffic Safety
 - 1. Rigorous enforcement has been shown to maintain the safety benefits
 - 2. This enforcement is needed for all types of roads

2.0 HISTORY AND THEORY

Learning Goal:

1. The student will be provided with an understanding of radar principals.
 2. The student will be provided with the ability to describe technical terms associated with radar operation.
-

- A. Doppler Principle
 1. Founder Christian Johann Doppler
 2. Definition of principle
 3. Examples
- B. Radar
 1. Uses sound waves
 2. Acronym
 3. Developed by military in world war II
 4. Band identification (S, K, X)
 5. Traffic radar detects motion, not direction
- C. Radio Waves
 1. Lengths
 2. Travel at the speed of light
- D. Frequency
 1. Number of waves transmitted in one second
 2. Expressed as cycles, waves and hertz
 3. Units of measurement (kilo, mega, giga)
 4. High frequency shorter than low frequency
- E. Doppler Frequency
 1. The difference between the transmitted and returned frequency
 2. Examples for X, K and Ka bands
- F. Beam Length Infinite unless:
 1. Reflected
 2. Absorbed
 3. Refracted

3.0 VEHICLE CODE LAW AND COURT DECISIONS

Learning Goal:

1. The student will be provided with the knowledge to identify and describe vehicle code laws related to the use of radar for speed measurement and enforcement.
 2. The student will be provided with the knowledge of key court cases and how they impact radar usage today.
-

- A. Types of speed offenses
 - 1. Basic speed law
 - 2. Prima facie speed limits
 - 3. Absolute speed law
- B. Speed traps
 - 1. Speed trap prohibition
 - 2. Speed trap defined
 - 3. Speed trap evidence
- C. Sections not included under speed traps
 - 1. Local streets and roads
 - 2. School zones
 - 3. Railroad crossings
 - 4. Uncontrolled blind intersections
 - 5. Alleys
 - 6. Construction zones
 - 7. Tunnels or bridges
 - 8. Absolute speed limits
 - 9. Children's playgrounds
 - 10. Senior citizen's center/facility
- D. Speed Surveys
 - 1. Defined by California Vehicle Code
 - 2. State Traffic Manual sets guidelines
 - 3. Conducted under normal conditions
 - 4. Define 85th percentile/critical speed
 - 5. Define 10 mph pace
- E. Federal regulations related to radar
 - 1. FCC license not required by operator
 - 2. FCC license required for radio technicians
 - 3. National Highway Traffic Safety Administration (NHTSA) set minimum tandards for radar training
 - 4. National Institute of Standards and Training(NIST)developed minimum performance standards
- F. Court Decisions
 - 1. State vs Dantonio
 - 2. State vs Tomanelli
 - 3. Honeycutt vs Commonwealth
 - 4. State vs Wilcox
 - 5. State vs Shelt
 - 6. State vs Halopoff
 - 7. State vs Hanson
 - 8. State vs Miller
 - 9. State vs Aguilera
 - 10. State vs Kruegar

11. State vs Difiore
12. People vs Goulet

4.0 STATIONARY RADAR OPERATION

Learning Goal:

1. The student will be provided with the knowledge to operate stationary radar.
-

- A. Three components
 1. Counting unit
 2. Antenna
 3. Power source
- B. Installation
 1. Cable connections
 2. Power up unit last
 3. Power supply considerations
 4. Antenna considerations
 5. Counting unit considerations
 6. Microwave radiation considerations
- C. Testing
 1. Light segment test
 2. Internal circuitry test
 3. External test (tuning fork)
- D. Audio setting
 1. Significance of Doppler audio
 2. Volume level
- E. Automatic locks and alarms
 1. Not acceptable equipment
 2. Lock/alarm for non targets
 3. Encourages operator inattentiveness
 4. No tracking history
 5. Thumb wheel broadcasts enforcement tolerance
- F. Radar beam
 1. Shape and characteristics
 2. Main beam
 3. Zone of Influence
 4. Side lobes
 5. Beam width
 6. Beam range
- G. Cosine Angle
 1. Define

- 2. Effect on stationary operation
- 3. Calculation
- H. Target Selection
 - 1. Target size
 - 2. Target position
 - 3. Target speed
- I. Automatic Gain Circuitry
 - 1. Purpose
 - 2. Describe how it works
 - 3. Operational considerations
- J. Transmitter Use
 - 1. On/off switch
 - 2. Impact on radar detectors
 - 3. Reduction of microwave radiation exposure
 - 4. Relationship to the tracking history
- K. Tracking History
 - 1. Visual observation
 - 2. Audio confirmation
 - 3. Radar verification
- L. Site selection
 - 1. Demonstrated need
 - 2. Traffic and road conditions
 - 3. Safety considerations

5.0 MOVING RADAR OPERATION

Learning Goal:

- 1. The student will be provided with the knowledge to operate moving radar.
-

- A. Basic principles
 - 1. Patrol speed determination
 - 2. Closing speed determination
 - 3. Target speed determination
 - 4. Low/high Doppler
- B. Testing
 - 1. Light segment test
 - 2. Internal circuitry test
 - 3. External test
- C. Installation
 - 1. Counting unit
 - 2. Antenna considerations
- D. Cosine Angle
 - 1. Low Doppler cosine effect and determination

2. High Doppler cosine effect and minimization
3. Double cosine effect and determination
4. Examples
- E. Shadowing
 1. Cause
 2. Effect
 3. Detection
 4. Elimination
 5. Examples
- F. Tracking History
 1. Visual observation
 2. Audio confirmation
 3. Radar verification (add patrol speed verification)
- G. Radar Detectors
 1. Radio receivers
 2. Potential effectiveness
 3. Defeat of detectors
 4. State laws restricting detectors
- H. Radar Jammers
 1. Radio transmitter
 2. Federal Communications Commission (FCC) regulations
 3. State law
 4. Detection of radar jammers
 5. Law enforcement response to potential violators

6.0 RADAR EFFECTS

Learning Goal:

1. The student will be provided with an understanding of the various radar effects and know how to avoid or detect them.
-

- A. External Mechanical Interference
 1. Caused by moving objects
 2. Avoidance/elimination
- B. Random Radio Frequency Interference (RFI)
 1. Patrol vehicle interference
 2. Police and business band radios
 3. Citizen band radios
 4. Lights
 5. Power lines
 6. Avoidance/elimination
- C. Harmonic Signal Interference
 1. A multiple of a base frequency

- 2. Causes
 - 3. Avoidance/elimination
- D. Own Speed Capture Effect
 - 1. Applies only to moving mode
 - 2. Simultaneous display
 - 3. Caused by multiple reflections
 - 4. Filters to defeat
 - 5. Avoidance/elimination
- E. Pulsating Signal Amplitude Effect
 - 1. Applies only to moving mode
 - 2. Caused by irregular surfaces
 - 3. Avoidance/elimination
- F. Feedback/Scanning Effect
 - 1. Possible only with two piece equipment
 - 2. Caused by improper installation/use
 - 3. Avoidance/elimination
- G. Audio Effect
 - 1. Caused by an extremely loud radio
 - 2. Avoidance/elimination
- H. Antenna Vibration Effect
 - 1. Caused by movement of antenna
 - 2. Avoidance/elimination
- I. Motorcycle Considerations
 - 1. Special operating situations
 - 2. Additional maintenance and care
- J. Dented Antenna Horn Effect
 - 1. Causes a distorted beam
 - 2. Avoidance/elimination
- K. Windshield Obstruction Effect
 - 1. Reduced range
 - 2. Distorted signal
 - 3. Avoidance/elimination
- L. Beam Reflection Effect
 - 1. Caused by reflective surface
 - 2. Reads speeds from opposite direction
 - 3. Avoidance/elimination
- M. Weather Effects
 - 1. Rain or snow reduce range
 - 2. Low Doppler pick-up difficult
 - 3. Avoidance/elimination
- N. Heat Build-up Effect
 - 1. Causes component values to change
 - 2. Causes circuitry damage
 - 3. Avoidance/elimination

- O. Power Surge Effect
 - 1. Occurs when power is first turned on
 - 2. Avoidance/elimination
- P. Automatic Gain Control
 - 1. Increases sensitivity
 - 2. Avoidance/elimination
- Q. Panning Effect
 - 1. Caused by sweeping motion of antenna
 - 2. Avoidance/elimination
- R. Batching Effect
 - 1. Caused by a change in the patrol vehicle speed
 - 2. Avoidance/elimination
- S. Multi-path Signal Effect
 - 1. Cause by a reflected signal
 - 2. Avoidance/elimination

7.0 VISUAL SPEED DETERMINATION

Learning Goal:

- 1. The student will be provided with the knowledge of how to visually determine speed.
-

- A. Speed Determination Techniques
 - 1. General observations
 - 2. Practical techniques

8.0 RADAR EVIDENCE

Learning Goal:

- 1. The student will be provided with the understanding of what physical evidence may be required for court
-

- A. Subpoena Duces Tecum
 - 1. Define
 - 2. Application to radar
- B. Documents
 - 1. Certification of operator
 - 2. Vehicle speedometer calibration
 - 3. Vehicle maintenance record
 - 4. Vehicle radio suppression documentation
 - 5. Radar operator's manual
 - 6. Radar certification

7. Tuning fork certification
8. Radar maintenance log
9. Officer's daily activity log

9.0 PRACTICAL EXERCISES AND TESTING

Learning Goal:

1. The student will be provided with the ability to refine their visual speed determination.
-

- A. Introduction
 1. Safety rules
 2. Overview of exercises
 3. Testing procedures
 4. Post course field practice – N.H.T.S.A. Recommendations
- B. Speed Estimate Practice
 1. Stationary
 2. Moving
- C. Speed Estimate Testing
 1. Stationary
 2. Moving

10.0 COURTROOM TESTIMONY

Learning Goal:

1. The student will be provided with the ability to prepare and effectively testify in court for a radar case.
-

- A. Techniques of Effective Courtroom Testimony
 1. Advance preparation
 2. Proper dress
 3. Proper demeanor
- B. Considerations for Radar Case Examination
 1. Officer's qualifications
 2. Knowledge of related California Vehicle Code law
 3. Knowledge of equipment
 4. Knowledge of radar principles
 5. Knowledge of beam width and range
 6. Knowledge of radar effects
 7. Application of tracking history
 8. Target determination

11.0 WRITTEN EXAMINATION

POLICE TRAFFIC LASER OPERATOR

TOPICAL OUTLINE

- 1.0 Radar Review
- 2.0 Scientific Principals
- 3.0 General Operational Considerations
- 4.0 Operation of Specific Devices
- 5.0 Legal Considerations
- 6.0 Written Examination

Total Hours - 8

LEARNING GOALS AND EXPANDED COURSE OUTLINE

1.0 Radar Review

Learning Goal:

- 1. The student will be provided with an understanding of the basics of radar operation as it relates to the use of laser technology.
-

- A. Doppler principle
 - 1. Shift
- B. Frequencies
 - 1. X Band
 - 2. K Band
 - 3. Ka Band
- C. Effects
 - 1. Cosine
 - 2. RFI
 - 3. Environmental factors
- D. Tracking history checklist
 - 1. Stationary mode

2.0 Scientific Principles

Learning Goal:

1. The student will be provided with an understanding of the historical development, concepts, characteristics and properties of laser technology.
-

- A. History and theory
 1. Lidar/Laser
 2. How laser was invented
 3. How the device works
- B. Characteristics
 1. Signal speed
 2. Wave length
 3. Frequency
- C. Laser Properties
 1. Narrow spectrum
 2. Limited divergence
 3. Higher intensity
 4. Reflected
 5. Refracted
 6. Absorbed
- D. Cosine effect
 1. Same as stationary radar
- E. Beam width
 1. Laser vs. radar
 2. Target selection

3.0 General Operational Considerations

Learning Goals:

1. The student will be provided with an understanding of general operational considerations when using the laser as an enforcement tool:
 - Pre-operational considerations
 - Site selection
 - Laser effects
 - Target selection
 - Tracking history
 - Care and maintenance
 - Safety and health considerations
-

- A. Pre-operational
 1. Initial considerations
 2. Transportational considerations

- 3. Accuracy checks
- B. Site selection considerations
 - 1. Safety
 - 2. Enforcement
 - 3. Environmental
- C. Laser effects
 - 1. RFI
 - 2. Panning
 - 3. Other interference
 - 4. Cosine
- D. Target selection
 - 1. Long range vs. short range
 - 2. Color, shape and size
 - 3. Aiming
- E. Tracking history
 - 1. Visual Speed Estimation
 - 2. Target Acquisition
 - 3. Audio Tone
 - 4. Digital Read-out display
- F. Care and maintenance
 - 1. Periodic cleaning of external lens(when necessary)
 - 2. Use in inclement weather
 - 3. "Do Not Drop" (may need to be sent for repair)
- G. Safety / Health considerations
 - 1. Considered Class 1 device by FDA
 - 2. Avoid direct eye exposure
 - 3. Low radiation

4.0 Operation of Specific Laser Devices

Learning Goals:

- 1. The student will be provided with an understanding of the current laser models used by law enforcement.
- 2. The student will be provided with the practical skills and ability to set up the laser, test its operation and other operational considerations in a field setting.

-
- A. Functional components of Laser unit to be used
 - 1. Current models used by Law Enforcement
 - B. Field Exercises
 - 1. Set-up
 - 2. Testing
 - 3. Operational Procedures
 - 4. Hands-on Training

5.0 Legal Considerations

Learning Goals:

1. The student will be provided with a knowledge of the vehicle code sections as they apply to the use of laser.
 2. The student will be provided with an understanding of case law as it applies to affecting the measurement of speed.
 3. The student will be provided with the skills and ability to effectively testify in court about the use of laser in the measurement of speed.
-

- A. California Vehicle Code
 1. 40802
 2. 40803
 3. Other related sections
- B. Case Law affecting speed measurement
- C. Courtroom Testimony
 1. Evidence
 2. Field notes

6.0 Final Examination

1081. **Minimum Standards for Legislatively-Mandated Courses.**

- (a) Approved courses, as specified in Commission Regulation 1005(g), pertain to training mandated by the Legislature for various kinds of peace officers and other groups for which the Commission has responsibility to establish minimum standards. Approved courses shall meet the following minimum content and hours. Requirements for certification and presentation of these courses are specified in Regulations 1052 - 1056.

(1) through (27) continued

(28) Radar Operator Course - 24 hours
(Vehicle Code section 40802)

- (A) Speed and Enforcement**
- (B) History and Theory**
- (C) Laws and Court Decisions**
- (D) Stationary Radar Operation**
- (E) Moving Radar Operation**
- (F) Radar Effects**
- (G) Visual Speed Determination**
- (H) Radar Evidence**
- (I) Practical Exercises and Field Testing**
- (J) Courtroom Testimony**
- (K) Written Examination**

Note: Required for peace officers issuing speed violation citations using radar speed measuring devices and where a traffic and engineering survey is beyond five years.

1081. Minimum Standards for Legislatively-Mandated Courses.

- (a) Approved courses, as specified in Commission Regulation 1005.(g), pertain to training mandated by the Legislature for various kinds of peace officers and other groups for which the Commission has responsibility to establish minimum standards. Approved courses shall meet the following minimum content and hours. Requirements for certification and presentation of these courses are specified in Regulations 1052 - 1056.

(1) through (28) continued

(29) Laser Operator Course - 8 hours
(Vehicle Code Section 40802)

- A. Radar Review
- B. Scientific Principals
- C. General Operational Considerations
- D. Operation of Specific Laser Devices
- E. Legal Considerations
- F. Examination

Required for peace officers issuing speed violation citations using laser or any other electronic speed measuring devices who has already successfully completed 1081 (a) (28), and where a traffic and engineering survey is beyond five years.

Commission on Peace Officer Standards and Training

**NOTICE OF PROPOSED REGULATORY ACTION: ADDITION OF COMMISSION
REGULATION 1081(a)(28) and (29)**

Radar and Laser Operator Courses

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Sections 13503 and 13506 of the Penal Code, and in order to interpret, implement and make specific Section 40802 of the Vehicle Code, proposes to adopt, amend, or repeal regulations in Chapter 2 of Title 11 of the California Code of Regulations.

INFORMATIVE DIGEST

Vehicle Code Section 40802 Subparagraph (c)(A) requires that when radar is used, the officer issuing the citation has successfully completed a radar course of not less than 24 hours on the use of police traffic radar, and the course was approved and certified by the Commission on Peace Officer Standards and Training.

Vehicle Code Section 40802 Subparagraph (c)(B) requires when laser or any other electronic device is used to measure the speed of moving objects, the officer issuing the citation has successfully completed the training required in subparagraph (A) above, and an additional training course of not less than two hours approved and certified by the Commission on Peace Officer Standards and Training.

The Commission proposes to add section (a)(28) to Commission Regulation 1081 to specify the minimum training for the use of radar technology in traffic enforcement, and add section (a)(29) to Commission Regulation 1081 to specify the minimum training for the use of laser technology in traffic enforcement.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed action. All written comments must be received at POST no later than 4:30 p.m. on _____, 1999. Written comments should be directed to Kenneth J. O'Brien, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Blvd., Sacramento, CA 95816-7083.

A public hearing is not scheduled. Pursuant to Government Code section 11346.8, any interested person, or duly authorized representative, may request in writing, no later than _____, 1999 that a public hearing be held.

ADOPTION OF PROPOSED REGULATIONS

Following the close of the public comment period, the Commission may adopt the proposals substantially as described in this notice or may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before adoption, the text of any modified language clearly indicated will be made available at least 15 days before the date of adoption to all persons whose comments were received by POST during the public comment period, and all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated on this notice. The Commission will accept written comments on the modified text for 15 days after the date on which the revised text is made available.

TEXT OF PROPOSAL

Copies of the Statement of Reasons and exact language of the proposed action may be obtained by submitting a request in writing to the contact person at the address below. This address also is the location of all information considered as the basis for these proposals. The information will be maintained for inspection during the Commission's normal business hours (8 a.m. to 5 p.m., Monday through Friday).

ESTIMATE OF ECONOMIC IMPACT

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Declaration Relating to Impact on All California Businesses Including Small Businesses: The Commission on Peace Officer Standards and Training, in the development of the proposed regulation, has assessed the potential for adverse economic impact on businesses in California, including the ability of California businesses to compete with businesses in other states, and has found that the proposed amendment of Regulation 1081(a)(28) and (a)(29) will have no effect. This finding was based on the determination that the proposed amendment of Regulation 1081(a)(28) and (a)(29) in no way applies to businesses.

Cost Impact on Private Persons or Entities: None

Housing Costs: None

ASSESSMENT

The adoption of the proposed amendments to this regulation will neither create nor eliminate jobs in the state of California, nor result in the elimination of existing businesses or create or expand businesses in the state of California.

CONSIDERATION OF ALTERNATIVES

In order to take this action, the Commission must determine that no alternative considered by the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquiries concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Leah Cherry, Staff Services Analyst, 1601 Alhambra Blvd., Sacramento, CA 95816-7083 or by telephone at 916-227-3891.

Commission on Peace Officer Standards and Training

**PROPOSED REGULATORY ACTION: ADDITION OF
COMMISSION REGULATION 1081(a)(28) and 1081(a)(29)**

INITIAL STATEMENT OF REASONS

Radar and Laser Operator Courses

Justification:

Pursuant to Assembly Bill 2222 section 40802 (c)(A) and (c)(B) was added to the Vehicle Code.

Subparagraph (c)(A) requires that when radar is used for traffic enforcement purposes, the officer issuing the citation successfully completed a radar course of not less than 24 hours on the use of police traffic radar, and the course be approved and certified by the Commission on Peace Officer Standards and Training.

Subparagraph (c)(B) requires when laser or any other electronic device is used to measure the speed of moving objects, the officer issuing the citation successfully complete the training required in subparagraph (A) above and an additional training course of not less than two hours certified by POST.

An ad hoc committee of subject matter experts, including POST certified course presenters of the traffic radar operator's course and the traffic laser operator's course was formed to review existing courses, material and information. The committee developed a 24-hour radar operators course and an 8-hour traffic laser operator's course designed to address the new legislation as well as the most recent traffic enforcement techniques and technology.

POST has certified numerous radar operator courses in the past, most of which are 24 hours in duration. Although there were no legislative mandates to provide radar training, the past Radar Operator courses were virtually mandated by judicial decisions. The new mandate in Vehicle Code Section 40802 is not expected to have much of an impact because most users of radar already comply with the direction of the judicial decisions.

The traffic radar operators course consists of the following topics:

- 1.0 **Speed and enforcement** - This topic is included to provide the student with the knowledge of the association between speed offenses, collisions and deaths and an understanding of the benefits of an effective speed enforcement program.

- 2.0 **History and theory** - This topic is included to provide the student with an understanding of how radar was developed, the reasons for its development, its application to traffic law enforcement and to provide the student with the ability to interpret technical terms used in radar operation.
- 3.0 **Vehicle Code law and court decisions** - This topic is included to provide the student with a knowledge of key court cases that will enable them to properly present their cases in court and how these cases impact radar usage today. The topic also includes instruction on vehicle code laws related to the use of radar for speed measurement and enforcement.
- 4.0 **Stationary radar operation** - This topic is included to provide the student with the knowledge necessary to competently operate stationary radar by providing an understanding of the components, installation, testing procedure, and functions of a radar unit.
- 5.0 **Moving radar operation** - This topic is included to provide the student with an understanding of the basic principals, installation, testing procedure, and functions of a radar unit that will enable them to operate the radar unit with competence.
- 6.0 **Radar effects** - This topic is included to provide the student with the knowledge necessary to determine external and internal sources that affect the proper/accurate operation of the radar unit and how to avoid or detect them.
- 7.0 **Visual speed determination** - This topic is included to provide the student with the knowledge of the practical techniques of visual speed determination and general observations that can be made to assist in the visual determination of speed.
- 8.0 **Radar evidence** - This topic is included to provide the student with an understanding of the processes used to order relevant radar evidence be produced in court and the documentation and other evidence that will be necessary to prove the case in a court of law.
- 9.0 **Practical exercises and testing** - This topic is included to provide the student with the experience of working with a radar unit in a field setting. Also providing the student the ability to put to use what they have learned in the classroom to refine and verify a competency in accurately visually determining speed.
- 10.0 **Courtroom testimony** - This topic is included to provide the student with the ability to prepare for a radar case and effectively testify in court.
- 11.0 **Written examination** - This is included to verify student learning.

POST has also certified two laser courses, one 16-hours in duration, the other 12-hours in duration. Because of the recent use of laser technology in traffic speed enforcement the assembled subject matter experts agreed that there are no California judicial decisions relevant to training in the use of laser technology in traffic speed enforcement to provide direction on the type and length of laser training needed by law enforcement users.

After a review of the current POST certified laser operator courses, current standards set by the National Traffic Highway Safety Administration, current standards set by the courts relevant to radar training, California Highway Patrol standards, and based on their own training and experience the committee of subject matter experts concurred that a minimum of eight hours was needed to provide adequate training in the use of laser in traffic speed enforcement to meet the scrutiny of judicial review.

The traffic laser operators course consists of the following topics:

- 1.0 **Radar Review** - This topic is included to provide the student with a review of the basics of radar operation as it relates to the use of laser technology.
- 2.0 **Scientific Principals** - This topic is included to provide the student with an understanding of the historical development, concepts, characteristics and properties of laser technology.
- 3.0 **General Operational Considerations** - This topic is included to provide the student with an understanding of general pre-operational and operational considerations when using the laser as an enforcement tool, including:
 - Site selection
 - Laser effects
 - Target selection
 - Tracking history
 - Care and maintenance
 - Safety and health considerations
- 4.0 **Operation of Specific Laser Devices** - This topic is included to provide the student with an understanding of the current laser models used by law enforcement and to provide the student with the practical skills and ability to set up the laser and test its operation before using it in the field.
- 5.0 **Legal Considerations** - This topic is included to provide the student with a knowledge of the vehicle code as it applies to the use of laser technology in speed law enforcement, an understanding of case law as it applies to affecting the measurement of speed, and the skills and ability to effectively testify in court about the use of laser in the measurement of speed.
- 6.0 **Written Examination** - This is included to verify student learning.

There is no effective date for the implementation of the requirements specified in the legislation. It is recommended that the effective date to implement these requirements be based upon approval of the Office of Administrative Law.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Authority to Contract with San Diego State University to Convert the Existing P.C. 832 Interactive Videodisc Course to CD-ROM Format		Meeting Date July 15, 1999
Bureau Training Program Services	Reviewed By <i>Bud Lewallen</i>	Researched By Jan Myyra
Executive Director Approval <i>Henry H. J. O'Brien</i>	Date of Approval 6-4-99	Date of Report May 27, 1999
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the **ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION**. Use additional sheets if required.

ISSUE

Should the Commission authorize the Executive Director to contract with San Diego State University for an amount not to exceed \$190,000 to convert the existing P.C. 832: Arrest and Firearms interactive videodisc (IVD) course to CD-ROM format?

BACKGROUND

In 1993, the Commission spent \$266,000 to revise the P.C. 832 IVD course, which had been in use since 1989. The California Youth Authority contributed \$100,000 to make the total cost \$366,000.

ANALYSIS

POST is in the process of converting other IVD courses to CD-ROM format and to provide these courses to agencies that are in the process of purchasing new CD-ROM-based interactive multimedia computers being reimbursed by POST. The CD-ROM format will make multimedia training more accessible and easier to use. In addition, the Commission is in the process of funding all of the Basic Course academies for the purchase of the new computers. The CD-ROM version of P.C. 832 would be able to run on these systems.

In a recent survey of presenters who use the P.C. 832 IVD course, 83% of the respondents reported that a CD-ROM version of this course would be beneficial. Users have indicated that the IVD courseware has enabled training to be provided that otherwise would not have been available or obtained only with great difficulty and cost.

RECOMMENDATION

Authorize the Executive Director to contract with San Diego State University for an amount not to exceed \$190,000 to convert the existing P.C. 832 interactive videodisc course to CD-ROM format.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposed Contract for Domestic Violence Training Courses		Meeting Date July 15, 1999
Bureau Training Program Services	Reviewed By <i>[Signature]</i> Bud Lewallen	Researched By Jan Bullard
Executive Director Approval <i>[Signature]</i>	Date of Approval 6-18-99	Date of Report June 18, 1999
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Executive Director be authorized to enter into an interagency agreement with San Diego Regional Training Center (SDRTC) to facilitate forty (40) additional Domestic Violence for First Responders workshops as part of the Violence Against Women Act (VAWA) Law Enforcement Training Grant.

BACKGROUND

On August 1, 1997, the Commission on POST was a recipient of a Violence Against Women Act (VAWA) Law Enforcement Training Grant in the amount of \$2,929,112. One of the designated projects was the presentation of forty Domestic Violence for First Responder courses. This project has been completed and funds remain in the project account for additional presentations.

ANALYSIS

During the Fiscal Year 1999-00, it is planned that forty (40) additional 8-hour Domestic Violence for First Responders workshops will be presented throughout the state. These courses will be part of the 1997-1998 funding.

The SDRTC has expressed a willingness to enter into an interagency agreement to provide these courses. SDRTC is capable of continuing the facilitation of the additional courses created through the grant. On-going interest from law enforcement indicates a continued need for the course. There is currently an established list of agencies requesting this course. The cost of administering these presentations will not exceed the allocations budgeted in the grant.

RECOMMENDATIONS

Authorized the Executive Director to negotiate a contract with SDRTC for forty (40) additional Domestic Violence for First Responders workshops for Fiscal Year 99/00 in an amount not to exceed \$145,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposed Contract for Violence Against Women Grant Assistant Coordinator Position		Meeting Date October 28, 1999
Bureau Training Program Services Bureau	Reviewed By <i>[Signature]</i> Bud Lewallen, Bureau Chief	Researched By Jan Bullard
Executive Director Approval <i>[Signature]</i>	Date of Approval 9-27-99	Date of Report September 23, 1999
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the **ISSUE**, **BACKGROUND**, **ANALYSIS**, and **RECOMMENDATION**. Use additional sheets if required.

ISSUE

Should the Executive Director be authorized to enter into an interagency agreement with San Diego Regional Training Center (SDRTC) to hire an Assistant Coordinator to facilitate the Violence Against Women Grant Projects.

BACKGROUND

On August 1, 1997, the Commission on POST was a recipient of a Violence Against Women Act (VAWA) Law Enforcement Training Grant in the amount of \$2,929,112 for Fiscal Year 96-97. Subsequently, the Commission approved in October 1998, acceptance of an augmentation of the grant for Fiscal Year 97-98 in the amount of \$1,660,333.

In July 1999 the Finance Committee approved the acceptance of an augmentation for additional monies for Fiscal Year 98-99 and 99-00 in the total amount of \$2,448,734. In this augmentation, funds were designated for an Assistant Grant Coordinator to be hired to assist facilitating grant projects and to generate mandated financial reports.


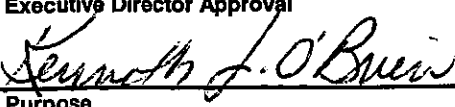
ANALYSIS

With the acceptance of the augmentations, the Violence Against Women Act (VAWA) grant currently totals \$7,038,179 and requires completion of 25 projects. The assistant coordinator will aid the Management Fellow (coordinator) to facilitate projects and generate mandated financial reports. In an effort to expedite the process, San Diego Regional Training Center (SDRTC) has agreed to employ an assistant grant coordinator to be assigned to POST for the duration of the contract.

RECOMMENDATIONS

Authorize the Executive Director to negotiate a contact with SDRTC for the employment of an assistant grant coordinator for 12 months to facilitate the completion of grant projects and reports in an amount not to exceed \$75,000 salary plus 10% indirect costs for a total of \$82,500.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Robert Presley Institute of Criminal Investigation Hate Crime Foundation Specialty Course Contract for Development and Two Pilot Presentations by the San Diego Regional Training Center during FY 1999-2000		Meeting Date October 28, 1999
Bureau Training Program Services	Reviewed By Bud Lewallen 	Researched By Dave Spisak
Executive Director Approval 	Date of Approval 9-27-99	Date of Report September 22, 1999
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No
In the space provided below, briefly describe the ISSUE , BACKGROUND , ANALYSIS , and RECOMMENDATION . Use additional sheets if required.		
<p><u>ISSUE</u></p> <p>Should the Commission authorize the Executive Director to enter into a contract with the San Diego Regional Training Center (SDRTC) for development and two pilot presentations of the Robert Presley Institute of Criminal Investigations (ICI) Hate Crime Foundation Specialty Course in an amount not to exceed \$51,900 for the fiscal year 1999-2000?</p> <p><u>BACKGROUND</u></p> <p>POST has held several meetings with hate crime investigators over the past several months developing standardized curriculum for hate crime investigators. Several major law enforcement agencies in the state are in the process of revising their hate crime policies and procedures and two of the largest agencies are committed to massive training programs within their department for first responders and investigators on this topic. Additionally, at the national level, the President has held a Hate Crime Summit. Through the Department of Justice, four specialized courses for law enforcement have been developed. POST has recently revised the legislatively mandated <i>Hate Crime Guidelines</i>. POST does not have any other curriculum for follow-up investigators.</p> <p><u>ANALYSIS</u></p> <p>Public interest in hate, or bias crimes, has been building for several years. While the reported number of such crimes remains small when compared to other serious crimes, their ripple effect within our communities remains substantial. Recent California examples include the day care center shooting in Los Angeles and the Synagogue arsons in Sacramento. State and national interest continue to focus on these crimes. Leading law enforcement agencies in the state are meeting with community-based organizations and citizen groups to develop better understanding of these crimes and to map strategies to respond. State and national interest continues to focus on these crimes. This ICI course will assist California law enforcement agencies to improve their response to hate crimes, maximize enforcement and prosecution while minimizing negative community impact. This is an appropriate subject to be positioned as a Specialty within the Robert Presley Institute of Criminal Investigation.</p>		

The Los Angeles County and Alameda County Sheriff's Departments have been involved in the development of this ICI course. They will provide both a northern and southern California pilot of the course. A single contract with SDRTC, a government agency, will allow POST to easily present these two pilots thereby avoiding the unnecessary burden of two separate contracts. Following modification of the curriculum at the conclusion of these two pilot presentations, multiple training sites will be located to provide this ICI specialty on an ongoing basis throughout the state.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with the San Diego Regional Training Center (SDRTC) for development and two pilot presentations of the Robert Presley Institute of Criminal Investigation (ICI) Hate Crime Foundation Specialty Course in an amount not to exceed \$51,900 for the fiscal year 1999-2000.

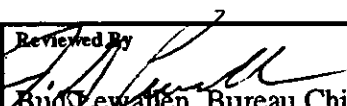
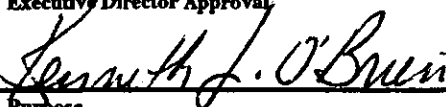
DETAILS OF CONTRACT

Contractor: San Diego Regional Training Center

A.	Course Development		\$11,700
B.	Pilot Presentation	2 @ \$20,100 each	<u>40,200</u>
	Total		\$51,900

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposed Contract for Domestic Violence Training Courses		Meeting Date October 28, 1999
Bureau Training Program Services Bureau	Reviewed By  Bud Lewallen, Bureau Chief	Researched By Jan Bullard
Executive Director Approval: 	Date of Approval 9-28-99	Date of Report September 27, 1999
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the **ISSUE**, **BACKGROUND**, **ANALYSIS**, and **RECOMMENDATION**. Use additional sheets if required.

ISSUE

Should the Executive Director be authorized to enter into an interagency agreement with San Diego Regional Training Center (SDRTC) to facilitate courses in domestic violence and sexual assault for law enforcement officers and public safety dispatchers as part of the Violence Against Women Act (VAWA) Law Enforcement Training Grant.

BACKGROUND

On August 1, 1997, the Commission on POST was a recipient of a Violence Against Women Act (VAWA) Law Enforcement Training Grant in the amount of \$2,929,112 for fiscal year 96-97. Subsequently, the Commission approved in October 1998, acceptance of an augmentation of the grant for fiscal year 97-98 in the amount of \$1,650,333. At that time, San Diego Regional Training Center (SDRTC) was selected by the Commission to facilitate the projects that were proposed for both 96-97 and 97-98 fiscal years.

In July 1999 the Finance Committee approved the acceptance of an augmentation for additional monies for fiscal year 98-99 and 99-00 in the total amount of \$2,448,734. SDRTC successfully facilitated previously contracted courses and has expressed a willingness to enter into a contract to complete the proposed projects for the 98-99/99-00 augmentation listed below.

ANALYSIS

The third and fourth year funds will permit POST to provide additional training to law enforcement and dispatch personnel in the area of domestic violence and sexual assault. The new training projects will provide continuity to the training projects provided with first and second year funding.

The following projects are proposed with Grant fiscal year 98-99 funds:

- 1) Four (4) update training workshops for Sexual Assault Response Teams @ \$8,000 per workshop for a total of \$32,000.
- 2) Ten (10) presentations of an 8-hour course on sexual assault for public safety dispatchers @ \$5,000 per course for a total of \$50,000.
- 3) Two (2) seminars on Officer-Involved Domestic Violence @ \$10,000 per seminar for a total of \$20,000.

- 4) Four (4) additional presentations of the 8-hour Domestic Violence for First Responder Course @ \$ 4,000 per course for a total of \$16,000.
- 5) Five (5) additional 8-hour Domestic Violence for Public Safety Dispatcher courses @ \$5,000 per courses for a total of \$25,000.
- 6) Three (3) additional presentations of the 40-hour Domestic Violence for Investigators Course @ \$17,755 Per course for a total of \$53,265.

The following projects are proposed with Grant Fiscal Year 99-00 funds:

- 1) Four (4) workshops for hostage negotiators on domestic violence hostage incidents @ \$10,000 per workshop for a total of \$40,000.
- 2) Six (6) presentations of an 8-hour course on sexual assault issues for campus police officers @ \$4,500 per course for a total of \$27,000.
- 3) Four (4) workshops for Domestic Violence Response Teams @ \$10,500 per course for a total of \$42,000.
- 4) Two (2) workshop on Developing the Expert Witness for Domestic Violence @\$15,000 per course for a total of \$30,000.
- 5) Three (3) additional 24-hour Train the Trainer for Field Training Officers in Domestic Violence courses @ \$5,000 per course for a total of \$15,000.
- 6) Ten (10) additional presentations of an 8-hour Domestic Violence for First Responder course @ \$4,000 per course for a total of \$40,000.
- 7) Five (5) additional presentations of the 40-hour Domestic Violence for Investigators course @ \$17,755 per course for a total of \$88,750.

Total cost of 98-99 and 99-00 proposed projects is \$479,015.

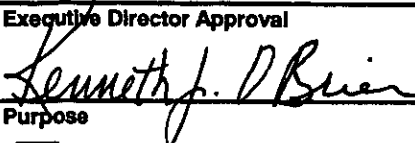
SDRTC is capable of facilitating the new projects proposed.

RECOMMENDATIONS

Authorize the Executive Director to negotiate a contract with SDRTC for the above courses for law enforcement personnel in domestic violence and sexual assault to be expended in fiscal year 99-00 in an amount not to exceed \$479,015.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Robert Presley Institute of Criminal Investigation Contract with the Sacramento Regional Criminal Justice Training Center for Curriculum Updates and Presentations of ICI Sexual Assault and ICI Child Abuse Investigator Courses for FY 99-00.		Meeting Date October 28, 1999
Bureau Training Program Services	Reviewed By Bud Lewallen	Researched By Dave Spisak
Executive Director Approval 	Date of Approval 10/13/99	Date of Report September 28, 1999
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION . Use additional sheets if required.		

ISSUE

Should the Commission authorize the Executive Director to enter into a contract with the Sacramento Regional Criminal Justice Training Center (SRCJTC) for the presentation of four courses each of the ICI Sexual Assault and ICI Child Abuse Foundation Specialty investigator courses, and to conduct curriculum update workshops for those two topics, in an amount not to exceed \$124,484 for the fiscal year 1999-2000?

BACKGROUND

SRCJTC is the original presenter of the Sexual Assault and Child Abuse course for ICI. Several years ago the Los Angeles County Sheriff's Department was added as a presenter. Two years ago the two topics were split and each expanded to 5-day classes. This was necessary to meet the training needs of the field because of the growing specialization needs of the two topics.

SRCJTC is affiliated with the Los Rios Community College District. Under K-14 Education Code SRCJTC cannot accept tuition for classes beyond a modest material's fee. ICI classes are limited to a maximum of 25 students. This is due to the instructional methodology that requires student work teams and other adult experiential delivery design requirements. As a result, full time student equivalent fees generated by a class of 25 students under this K-14 formula are \$6,096. The cost of delivery of each of these classes is about \$12,500. While POST is willing to pay the difference between FTE funds and the actual cost, the college cannot legally accept the funds.

Up to this year the college has been willing to subsidize the cost of the class. They are no longer financially able to do so.

ANALYSIS

SRCJTC has been a valued POST training partner. The quality of their work is excellent. They are the only ICI presenters in the Central Valley. They are the only northern California presenters of these two classes. SRCJTC is the only K-14 presenter of ICI courses in the state. It is highly desirable to retain them as a presenter.

We cannot legally supplement FTE financing for the classes. The only way to deal with this issue is to take the two ICI classes out of the FTE financing requirement. The mechanism for accomplishing this is to contract with SRCJTC to provide the classes.

There have been significant changes in state law regarding these two topics, sexual assault and child abuse. POST was mandated to develop curriculum and guidelines to implement these changes. That work has been completed. It is therefore, necessary to conduct workshops with staff and instructors to review existing curriculum and student materials to accurately reflect those changes. Staff from both SRCJTC and the Los Angeles Sheriff's Department will be involved in this work so that both presenters are presenting from the same course outline. The recommended action would accomplish curriculum updates for both classes and both presenters.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with the Sacramento Regional Criminal Justice Training Center (SRCJTC) for the presentation of four courses each, of the ICI Sexual Assault and ICI Child Abuse Foundation Specialty investigator courses, and to conduct curriculum update workshops for those two topics in an amount not to exceed \$124,484 for the fiscal year 1999-2000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposed Contract for Management Fellow to Coordinate Violence Against Women Grant		Meeting Date October 28, 1999
Bureau Training Program Services Bureau	Reviewed By Bud Lewallen, Bureau Chief <i>[Signature]</i> 10/1/99	Researched By Jan Bullard
Executive Director Approval <i>[Signature: Kenneth L. O'Brien]</i>	Date of Approval 10-4-99	Date of Report September 30, 1999
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the **ISSUE**, **BACKGROUND**, **ANALYSIS**, and **RECOMMENDATION**. Use additional sheets if required.

ISSUE

Should the Executive Director be authorized to enter into an interagency agreement with a California law enforcement agency to provide a management fellow to serve as the coordinator for the Violence Against Women Act (VAWA) Grant.

BACKGROUND

On August 1, 1997 the Commission on POST was a recipient of a VAWA Law Enforcement Training Grant in the amount of \$2,929,112. Subsequent approval by the Commission for additional augmentations have brought the grant total to \$7,038,179 and requires completion of 25 projects. The coordinator is responsible for facilitating the projects, maintaining financial records and generating reports required by Office of Criminal Justice Planning (OCJP)

Previously, a sergeant from Santa Barbara County Sheriff's Department has had this assignment. Her contract will expire November 3, 1999 and she will no longer be available to fill this position. The grant completion date is December 31, 2000.

ANALYSIS

In order to ensure that all grant projects are completed and funds expended in compliance with the contract between POST and OCJP, it is imperative the management fellow position be filled.

RECOMMENDATIONS

Authorize the Executive Director to negotiate a contract with a California Law Enforcement agency for a mangement fellow for 12 months to facilitate the completion of grant projects and reports in an amount not to exceed \$120,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Basic Supervisory Pilot Courses under Contract		Meeting Date October 28, 1999
Bureau Center for Leadership Development	Reviewed By Jack Garner	Researched By Neil Zachary
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 10-13-99	Date of Report July 26, 1999
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact \$180,000 <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission authorize the Executive Director to enter into a contract with two presenters to offer six pilot presentations of the Basic Supervisory Course, for an amount not to exceed \$180,000?

BACKGROUND

The Supervisory Course is certified to 19 presenters using POST's Plan IV (no tuition) reimbursement. The presenters are local community colleges and law enforcement agencies (state and local). Two types of individuals attend the course: 1) recently promoted first-line peace officers are mandated to take the course; and 2) other law enforcement personnel who will be appointed to a supervisory position or who are assigned to quasi-supervisory positions.

ANALYSIS

POST staff made recommendations concerning the redesign of the Supervisory Course to the Long Range Planning Committee at its June 18, 1999 meeting. The Long Range Planning Committee approved this recommendation and this agenda item implements the pilot presentations of the redesigned course.

The cost of the six pilot presentations will not exceed \$180,000. The pilots will be evaluated and if proven to be effective, full implementation of the course will be requested beginning Fiscal Year 2000-2001. Recommendations to change POST Administrative Manual Section 1005 (b), Minimum Standards for the Supervisory Course, and Commission Procedure D-3, Supervisory Course curriculum, will be made prior to full implementation.

RECOMMENDATIONS

It is recommended that the Commission initiate a new Supervisory Course and authorize the Executive Director to enter into contract with two presenters to offer three presentations each at a total cost not to exceed \$180,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Supervisory Course Instructors' Training Workshop		Meeting Date October 28, 1999
Bureau Center for Leadership Development	Reviewed By Jack Garner	Researched By Neil Zachary
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 10/13/99	Date of Report July 26, 1999
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact \$108,000 <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission authorize the Executive Director to enter into a contract with two presenters to offer six Supervisory Course Instructors' Training (SCIT) Workshop under contract, for an amount not to exceed \$108,000?

BACKGROUND

The Supervisory Course is certified to 19 presenters comprising local community colleges and law enforcement agencies (state and local). The course is mandated for recently promoted first-line peace officers, but other law enforcement personnel may attend if authorized by their department head. More than one-half of the presenters are community colleges that are obligated to offer the course to the general college populations. The college courses are taught in a classroom environment using instructors employed by the college. The eight law enforcement agency presenters use their own sworn staff to teach the course.

The Commission approved SCIT Workshop pilots. The pilots offered instruction on instructional system design, experience-based learning techniques, and formulating competency-based learning goals. The SCIT Workshops were patterned after another instructor development course which had been in existence for several years within the Institute of Criminal Investigation (ICI). This two-module, 40-hour course has been very effective in preparing instructors who teach in the ICI program.

POST staff made recommendations concerning the Supervisory Course to the Long Range Planning Committee at its June 18, 1999 meeting. One recommendation was to implement a permanent course to train Supervisory Course instructors. The Long Range Planning Committee approved this recommendation, and this agenda item implements that training program. Funding for six presentations of the restructured Supervisory Course is described in a separate agenda item.

ANALYSIS

Staff recommended that all Supervisory and Management Course instructors and coordinators attend a SCIT Workshop to increase their skills and familiarize them with experience-based learning techniques. It is estimated that in future years, approximately 440 instructors will be needed to teach in these two courses. The new Supervisory Course will be implemented region by region over a period of 18 months. Initially, six SCIT Workshops will be required in this Fiscal Year. The number of Workshops may increase in succeeding years. Each workshop will cost approximately \$17,199. Funding six presentations will not exceed \$108,000.

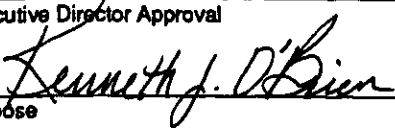
RECOMMENDATIONS

It is recommended that the Commission authorize the Executive Director to enter into contract with two presenters to offer three presentations each of the SCIT Workshop.

- 7/18/91 Commission Regulation change to expand basis for cert cancellation
- 1992 Commission sought Attorney General Opinion regarding authority to enact the change, at request of labor reps
- 12/93 Opinion rendered - (Formal Opinion No. 93-101, 12/8/93)
- 1/27/94 Commission acted to suspend enforcement of Regulation change, pending resolution of concerns of those in disagreement with the change.
- 9/95 Meeting with representatives of labor and members of Commission - aimed at arriving at agreement regarding the Regulation change.
- Recommendations: Retain the Regulation change - expand further to include offenses judicially determined admissible for impeachment of testimony
- Establish appeals process
- 4/96 Public Hearing, with the above recommendations having been incorporated into the regulation change. The Commission deferred action on the matter.
- No further action since 1996.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposed Change to Revise Regulation Section 1011 Regarding Cancellation of Certificates		Meeting Date October 28, 1999
Bureau Administrative Services Bureau	Reviewed By Glen Fine	Researched By Frederick Williams
Executive Director Approval 	Date of Approval 10/12/99	Date of Report September 28, 1999
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

In the space provided below, briefly describe the **ISSUE**, **BACKGROUND**, **ANALYSIS**, and **RECOMMENDATION**. Use additional sheets if required.

ISSUE

Should the Commission approve, subject to a public review process, changes to Regulation Section 1011, which would rescind the requirement for certificate cancellation for felony offenses which are reduced at the time of sentencing to misdemeanor level, pursuant to Penal Code Section 17, subsection (b) (1) or (3)?

BACKGROUND

Section 13510.1 of the Penal Code establishes the POST professional certificate program, requires the Commission to cancel certificates issued to persons who have been convicted of a crime classified as a felony, and permits cancellation for other reasons (enclosed as Attachment A). At its July 18, 1991 meeting, the Commission, following a public hearing, approved proposed changes in Commission Regulation 1011 and Commission Procedure F-2 to expand provisions for cancellation of POST professional certificates, effective January, 1992. Enclosed as Attachment B is a listing of those peace officer groups who are, or who are not required by law to possess the POST Basic Certificate.

Prior to this regulation change, the Commission cancelled certificates only in the event of a felony conviction, or in instances when the certificate was fraudulently obtained. With the change in regulation and procedure, the provisions for certificate cancellation were expanded to include:

1. All peace officer employment disqualification conditions provided for in Government Code Section 1029 (a) (enclosed as Attachment C).
2. Certain felony convictions (sex crimes, narcotic offenses, theft, assault under color of authority, and dishonesty associated with official duties) that are reduced to misdemeanors by virtue of misdemeanor sentence received after conviction under Penal Code Section 17 (b) (1) or (3).

The inclusion of the disqualification conditions provided for in the Government Code was a technical insertion, as these conditions had been inadvertently omitted from the regulations. The second set of expanded conditions for certificate cancellation was proposed and approved to add felony convictions, even though reduced at the time of sentencing, that involved moral unfitness.

ANALYSIS

From inception, this expanded cancellation provision has been subject to controversy, and the Commission has never authorized enforcement. The Attorney General, in a formal opinion, identified a legal deficiency with the revised regulation. The opinion noted that the Commission did have authority by virtue of its mandates to set standards for moral fitness (Penal Code Section 13510). However, the opinion concluded that the revised regulation does not specifically declare convictions in the offense categories to constitute lack of moral fitness. For these reasons, it is now proposed to delete the described provisions from POST Regulations.

RECOMMENDATION

If the Commission concurs, it is proposed that Commission Regulation 1011 and Commission Procedure F-2 be revised (Attachment D) to rescind the provision that expanded certificate cancellation to include "certain felony convictions (sex crimes, narcotic offenses, theft, assault under color of authority, and dishonesty associated with official duties) that are reduced to misdemeanors by virtue of misdemeanor sentence received after conviction under Penal code Section 17 (b) (1) or (3). Proposed changes must be adopted pursuant to the Administrative Procedures Act and it is proposed that the Notice of Proposed Action Process be used. If approved, these changes would become effective January 1, 2000.

13510.1 Certification program; purpose; requirements; application; cancellation of certificates

- (a) The commission shall establish a certification program for peace officers specified in Sections 13510 and 13522 and for the California Highway Patrol.
- (b) Basic, intermediate, advanced, supervisory, management, and executive certificates shall be established for the purpose of fostering professionalization, education, and experience necessary to adequately accomplish the general police service duties performed by peace officer members of city police departments, county sheriffs' departments, districts, university and state university and college departments, or by the California Highway Patrol.
- (c)
 - (1) Certificates shall be awarded on the basis of a combination of training, education, experience, and other prerequisites, as determined by the commission.
 - (2) In determining whether an applicant for certification has the requisite education, the commission shall recognize as acceptable college education only the following:
 - (A) Education provided by a community college, college, or university which has been accredited by the department of education of the state in which the community college, college, or university is located or by a recognized national or regional accrediting body.
 - (B) Until January 1, 1998, educational courses or degrees provided by a nonaccredited but state-approved college that offers programs exclusively in criminal justice.
- (d) Persons who are determined by the commission to be eligible peace officers may make application for the certificates, provided they are employed by an agency which participates in the Peace Officer Standards and Training (POST) program.
- (e) Certificates remain the property of the commission and the commission shall have the power to cancel any certificate.
- (f) The commission shall cancel certificates issued to persons who have been convicted of, or entered a plea of guilty or nolo contendere to, a crime classified by statute or the Constitution as a felony.

13510.2 Misuse of certificates; misdemeanor; punishment

Any person who knowingly commits any of the following acts is guilty of a misdemeanor, and for each offense is punishable by a fine of not more than one thousand dollars (\$1,000) or imprisonment in the county jail not to exceed one year, or by both a fine and imprisonment:

- (a) Presents or attempts to present as the person's own the certificate of another.
- (b) Knowingly permits another to use his or her certificate.
- (c) Knowingly gives false evidence of any material kind to the commission, or to any member thereof, including the staff, in obtaining a certificate.
- (d) Uses, or attempts to use, a canceled certificate.

PERSPECTIVE REGARDING CERTIFICATES

Peace Officers Required, per Penal Code Section 832.4 to have POST Basic Certificates in Order to Exercise Peace Officer Powers

Municipal Police Officers, Deputy Sheriffs, Peace Officers of Districts authorized to maintain police departments, San Diego Unified Port District Harbor Police, Marshals of Municipal Court or Judicial District and Inspector/Investigator of the District Attorney's Office. Elected sheriffs and Marshals are exempted.

Peace Officers Issued but not required by Law to have POST Basic Certificates

State Agency Peace Officers, State College and University Police, Community College Police, and School Police.

Peace Officers not Issued and not Required to have POST Certificates

Peace Officers employed by agencies not participating in either the POST Reimbursable or Specialized Program. Major groups include Correctional Peace Officers and Probation Officers.

Basic certificates signify completion of basic training, the employing agencies probationary period, satisfaction of entry level selection standards and require attestment of good moral character. Other professional certificates (Intermediate, Advanced, Supervisory, Management, Executive, Dispatcher, Reserve Officers) signify various level of experience, training and education. All of these other certificates also require attestment of good moral character.

POST ADMINISTRATIVE MANUAL
LAW RELATED TO STANDARDS FOR
SELECTION AND TRAINING

CALIFORNIA GOVERNMENT CODE

1029. Conviction of felony as disqualification for peace officer

- (a) Except as provided in subdivision (b), (c), or (d), each of the following persons is disqualified from holding office as a peace officer or being employed as a peace officer of the state, county, city, city and county or other political subdivision, whether with or without compensation, and is disqualified from any office or employment by the state, county, city, city and county or other political subdivision, whether with or without compensation, which confers upon the holder or employee the powers and duties of a peace officer:
 - (1) Any person who has been convicted of a felony in this state or any other state.
 - (2) Any person who has been convicted of any offense in any other state which would have been a felony if committed in this state.
 - (3) Any person who has been charged with a felony and adjudged by a superior court to be mentally incompetent under Chapter 6 (commencing with Section 1367) of Title 10 of Part 2 of the Penal Code.
 - (4) Any person who has been found not guilty by reason of insanity of any felony.
 - (5) Any person who has been determined to be a mentally disordered sex offender pursuant to Article 1 (commencing with Section 6300) of Chapter 2 of Part 2 of Division 6 of the Welfare and Institutions Code.
 - (6) Any person adjudged addicted or in danger of becoming addicted to narcotics, convicted, and committed to a state institution as provided in Section 3051 of the Welfare and Institutions Code.
- (b) Any person who has been convicted of a felony, other than a felony punishable by death, in this state or any other state, or who has been convicted of any offense in any other state which would have been a felony, other than a felony punishable by death,

if committed in this state, and who demonstrates the ability to assist persons in programs of rehabilitation may hold office and be employed as a parole officer of the Department of Corrections or the Department of the Youth Authority, or as a probation officer in a county probation department if he or she has been granted a full and unconditional pardon for the felony or offense of which he or she was convicted. Notwithstanding any other provision of law, the Department of Corrections or the Department of the Youth Authority may refuse to employ any such person as a parole officer regardless of his qualifications.

- (c) Nothing in this section shall be construed to limit or curtail the power or authority of any board of police commissioners, chief of police, sheriff, mayor, or other appointing authority to appoint, employ, or deputize any person as a peace officer in the time of disaster caused by flood, fire, pestilence or similar public calamity, or to exercise any power conferred by law to summon assistance in making arrests or preventing the commission of any criminal offense.
- (d) Nothing in this section shall be construed to prohibit any persons from holding office or being employed as a superintendent, supervisor, or employee having custodial responsibilities in an institution operated by a probation department, if at the time of the person's hire a prior conviction of a felony was known to the person's employer, and the class of office for which the person was hired as not declared by law to be a class prohibited to persons convicted of a felony, but as a result of a change in classification, as provided by law, the new classification would prohibit employment of a person convicted of a felony.

1011. Certificates and Awards.

- (a) Certificates and awards are presented by the Commission in recognition of achievement of education, training, and experience for the purpose of raising the level of competence of law enforcement officers and to foster cooperation among the Commission, agencies, groups, organizations, jurisdictions and individuals.
- (b) Professional certificates shall remain the property of the Commission. Certificates shall be denied or canceled when:
 - (1) A peace officer has been adjudged guilty of a felony or been disqualified for any other reason described in Government Code Section 1029(a)(1) through (a)(6); or
 - ~~(2) The person is adjudged guilty of a felony which has been reduced to a misdemeanor pursuant to Penal Code Section 17, subsection (b)(1) or (b)(3), and which constitutes either unlawful sexual behavior, assault under color of authority, dishonesty associated with official duties, theft, or narcotic offense; or~~
 - (2) ~~(3)~~ The certificate was obtained through misrepresentation or fraud; or
 - (3) ~~(4)~~ The certificate was issued due to administrative error on the part of the Commission and/or the employing agency.
- (c) Whenever a peace officer, or a former peace officer, is adjudged guilty of an offense described above, the employing department in the case of a peace officer, or the department participating in the POST Program that is responsible for the investigation of the felony charge against a former peace officer, shall notify the Commission within 30 days following the final adjudicative disposition. The notification shall include the person's name, charge, date of adjudication, case number and court, and the law enforcement jurisdiction responsible for the investigation of the charge.
- (d) Requirements for the denial or cancellation of professional certificates are as prescribed in PAM, Section F-2.
- (e) Regular Certificates, and Specialized Law Enforcement Certificates, i.e., Basic, Intermediate, Advanced, Supervisory, Management and Executive Certificates are provided for the purpose of fostering professionalization, education and experience necessary to adequately accomplish the general or specialized police service duties performed by regular or specialized peace officers. Requirements for the Certificates are as prescribed in PAM, Section F-1.

- (f) The Commission shall award Records Supervisor Certificates to records supervisors who qualify as provided in PAM, Section F-6, for the purpose of fostering professionalism and recognition of achievement and competency.

POST ADMINISTRATIVE MANUAL

COMMISSION PROCEDURE F-2

ISSUANCE, DENIAL OR CANCELLATION OF PROFESSIONAL CERTIFICATES

Purpose

2-1. Issuance, Denial or Cancellation of Professional Certificates: This Commission procedure provides for the issuance, denial or cancellation of POST Professional Certificates as described in Section 1011(b) of the Regulations.

2-2. Issuance of Certificates: A Professional Certificate shall be issued following receipt of a Certificate Application, Form 2-116, (Rev. 8/88) that provides all of the required information listed on the form (i.e., information that: will be used to identify the applicant, lists present and previous law enforcement experience, and training and educational achievements). Verifying documents shall be attached to the application to substantiate satisfaction of the prerequisites for the award of the certificate. The time period for the processing and issuance of the Basic Certificate shall be: a median of 24 days, a minimum of 15 days, and a maximum of 35 days from the date of receipt of a complete and accepted application; or the applicant shall be notified within the same time period that the application is not acceptable and what specific prerequisite is required. The processing of Basic Certificate applications shall be given precedence over the processing of applications for all other certificates. The determination of time periods established in this section are calendar days based on the date of initial receipt of an application or the last resubmission date thereafter.

2-3. Appeal When Maximum Time Period is Exceeded: When an application for a basic certificate has not been acted upon by issuance, return for additional information or denial within the time periods established above, the applicant can appeal directly to the Executive Director. The Executive Director shall determine whether the maximum time period was exceeded, and when confirmed, order the prompt issuance of the certificate if the established maximum time period was exceeded without good cause providing the applicant is qualified for the issuance of a basic certificate.

Denial or Cancellation

2-4. Right to Deny or Cancel: Professional Certificates remain the property of the Commission, and the Commission has the right to deny issuance of a certificate when the person does not satisfy a prerequisite for issuance of a certificate, or cancel any certificate when:

- (a) The person has been adjudged guilty of a felony or been disqualified for any other reason described in Government Code Section 1029(a)(1) through (a)(6); or

- ~~(b)~~ — The person is adjudged guilty of a felony which has been reduced to a misdemeanor pursuant to Penal Code Section 17, subsection (b)(1) or (b)(3), and constitutes either unlawful sexual behavior, assault under color of authority, dishonesty associated with official duties, theft, or narcotic offense; or
- (b) (e) The certificate was issued by administrative error on the part of the Commission and/or the employing agency; or
- (c) (d) The certificate was obtained or the application was submitted involving misrepresentation or fraud.

2-5. Notification by Department Head: When a department head obtains information that a certificate should be denied or cancelled because of any of the conditions listed in paragraph 2-4 above, the department head shall immediately notify the Commission.

Investigation

2-6. Initiation of Investigation: When the Commission is notified that a professional certificate has been issued involving conditions listed under paragraph 2-4, subsections a, b, c, or d, the Executive Director shall investigate the allegation. The department head and the concerned individual shall be notified in writing of the initiation of the investigation.

Notice of Denial or Cancellation

2-7. Notification of Denial: If a professional certificate has been applied for and it is determined that one or more of the prerequisites for the issuance of the certificate has not been satisfied, the concerned individual; via the person's department head, shall be notified in writing of the denial of the issuance of the certificate and given an explanation of the reason for denial.

2-8. Notification of Cancellation: If the facts developed by an investigation substantiate cause for cancellation of a certificate, the individual concerned shall be notified in writing, by certified mail, of the commission's intent to cancel the certificate and the grounds for the proposed cancellation. The notice shall state that the certificate shall be deemed cancelled on the 45th day following the mailing of the notice and shall demand that the individual return the certificate to POST.

If an individual possessing a certificate which is proposed for cancellation in accordance with paragraph 2-4, desires a hearing regarding such action, the individual must notify the Commission in writing of the desire for a hearing within 45 days of the mailing of the notice of cancellation. The individual shall provide, with the request for hearing, all evidence that the certificate cancellation should not occur.

If the certificate cancellation is proposed in accordance with paragraph 2-4, subsection a or b, a certified copy of the abstract of judgment shall be obtained. The Commission will issue the

notification of its intent to cancel the certificate only after ensuring that the time has ended for the criminal appellate process.

~~2-9. Notwithstanding the provisions of Section 2-8, when cancellation is being considered for grounds described in Section 2-4, subsection b, the concerned individual and the employing department head will be notified that cancellation is being considered. Each will be invited to submit information to the Commission concerning the appropriateness of the proposed cancellation. Any information received will be considered by the Commission prior to initiating procedures described in Section 2-8.~~

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Special Consultant to Study Recruitment Issues		Meeting Date November 4, 1999
Bureau Standards and Evaluation	Reviewed By Alan Deal <i>Alan Deal</i>	Researched By Luella Luke
Executive Director Approval <i>Kenneth J. D'Biase</i>	Date of Approval 9-30-99	Date of Report September 20, 1999
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission authorize a contract for services of a Special Consultant (Management Fellow) to research and identify programs and strategies that may assist local law enforcement agencies in recruiting law enforcement officers?

BACKGROUND

As is true for most occupations, recruitment of new members to fill vacancies in the ranks of law enforcement is cyclically problematic for California law enforcement agencies. POST, in its fulcrum position as a statewide agency working on behalf of the local agencies, is periodically called upon to look into the situation. Such was the case in 1989 during a period of recruitment difficulty, and such is the case today.

A decade ago, recruitment of new officers had become so difficult for agencies that POST sponsored a Symposium on Recruitment for law enforcement chief executives "to identify consensus views regarding the need for cooperative efforts to focus on recruitment issues from a statewide perspective." Following the symposium, POST obtained the services of a management fellow to initiate a pilot regional testing program, research high school magnet programs, and explore statewide image building/recruitment. After extensive research and after having set up a successful regional testing program in Contra Costa County, the management fellow presented to the Commission several alternatives for POST support of statewide law enforcement recruitment efforts ranging in price from \$385,000 to \$3.5 million. Based upon these estimated costs and because further action would represent a significant commitment to a fundamentally new role for POST, the Commission declined to further fund POST efforts in this area.

ANALYSIS

Difficulty in recruiting new peace officers is once again being experienced by local agencies, and perhaps it is once again appropriate for POST to examine this issue, especially in light of increased recruitment difficulties anticipated as POST raises the bar on its standards and as competition from other professions increases. In fact, POST has added Strategic Objective C.7 specifically to address this issue. However, further assistance in the form of a management fellow appears to be called for.

Specifically, services of a management fellow might be obtained to: (1) assess what further ways law enforcement's image can be improved through working with the California Law Enforcement Image Coalition, (2) identify successful recruitment programs/strategies being used by law enforcement or other professions, (3) identify recommended future role(s) for POST in assisting law enforcement with recruitment, (4) identify strategies for speeding up and streamlining the applicant selection/testing process, and (5) identify any training/orientation of existing officers that might be useful in recruitment efforts.

RECOMMENDATION

Authorize the Executive Director to contract with a local law enforcement agency for a special consultant (management fellow) to study recruitment issues for a period not to exceed one year and at a cost not to exceed \$130,000 for salary and benefits. Additional expenditures for meetings and workshops are anticipated at \$20,000.

SPECIAL CONSULTANT FOR RECRUITMENT ISSUES

Recruitment of new peace officers to fill vacancies in the ranks of law enforcement is cyclically problematic for California law enforcement agencies. In the past, the Commission has examined POST's role in resolving this problem, and it appears appropriate to reexamine that role as agencies once again experience recruitment difficulties. The appointment of a special consultant for a one year period would be the initial step in researching this chronic issue. Specifically, services of a special consultant could be obtained to: (1) assess what further ways law enforcement's image can be improved through working with the California Law Enforcement Image Coalition, (2) identify successful recruitment programs/strategies being used by law enforcement or other professions, (3) identify recommended future role(s) for POST in assisting law enforcement with recruitment, (4) identify strategies for speeding up and streamlining the applicant selection/testing process, and (5) identify any training/orientation of existing officers that might be useful in recruitment efforts. If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to contract with a local law enforcement agency for a special consultant (management fellow) to study recruitment issues for a period not to exceed one year and at a cost not to exceed \$130,000 for salary and benefits. Additional expenditures for meetings and workshops are anticipated at \$20,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

The mission of the California Commission on Peace Officer Standards and Training is to continually enhance the professionalism of California law enforcement in serving its communities.



FINANCE COMMITTEE MEETING

October 27, 1999 - 2:00 P.M.

Flamingo Resort Hotel

2777 Fourth Street

Santa Rosa, CA 95405-4795

(707) 545-8530

AGENDA

Gray Davis
Governor

Bill Lockyer
Attorney General

COMMITTEE MEMBERS

Tom Knutson

Rick TerBorch

A. CALL TO ORDER

B. POST's Current Year Budget, Revenue and Status

The Committee will review budgeted and actual revenues as well as training volumes for the First Quarter 1999/2000.

A report showing expenditure projections will be provided at the meeting.

C. Status Report on BCP's Submitted to the Department of Finance

All Budget Change Proposals approved by the Commission have been submitted to the Department of Finance and staff is now involved with the justification process. A report will be provided at the meeting.

D. Actions Taken At the July 15, 1999, Committee Meeting

The following matters were considered and approved by the Committee at its July 15 meeting with the recommendation for Commission approval at its October 1999, meeting.

1. Extension of Time Authorized for Agencies to Purchase Encryption and Multimedia Equipment

The Commission has authorized participating agencies to purchase and be reimbursed for multi media equipment and decoders to support

satellite broadcast encryption. Many agencies have been unable to purchase the equipment by June 30, 1999. It is important to inform such agencies that the money remains available for this.

2. Increase On Driver Training Cap

The Commission approved the existing Basic Course Driver Training Tuition in October 1984. There have been no increases in the tuition since that time. Staff recommends the Commission increase the tuition cap to \$525.00 for non subsidized training and \$445.00 for community college presenters or those receiving subvention from the community college system.

3. Acceptance of 1998-99 and 1999-2000 VAWA Law Enforcement Grant Funds and Approval For Additional Staff for the Grant Project

On August 1, 1997, POST was the recipient of a Violence Against Women Act (VAWA) Law Enforcement Training Grant funding for 1996-97 from the Office of Criminal Justice Planning (OCJP) in the amount of \$2,929,112. This amount includes \$732,278 for the in-kind match which POST is contributing through staff and subject matter expert hours. The funds were dedicated to five designated projects. The grant also designated funds for one full-time special consultant (under the Management Fellow Program) to serve as grant coordinator.

In January 1999, the Commission was the recipient of second year VAWA grant funding for 1997-98 in the amount of \$1,660,333 for designated law enforcement training projects. On May 19, 1999, the OCJP, VAWA Task Force tentatively approved additional funding for 1998-99 and 1999-2000 in the amount of \$918,275 each for a total of \$1,836,550. Staff acted in July to accept the total amount to ensure the completion of all the proposed projects by the grant deadline in July 2000.

4. Contract Request With West Covina Police Department for Force Options Simulator

At the January 1999 meeting, the Commission approved the funding of specified technology equipment for the establishment and development of the seventeen Regional Skills Centers. The initial technology acquisition provided for the purchase of 15 force options simulators for this purpose. The West Covina Police Department force options simulator request was not made until after the initial

technology acquisition had been approved. The acquisition of the simulator would place the department on the same level as the other centers and is in the best interest of the Regional Skills Centers Training program.

5. Contract Augmentation for Alameda County Sheriff's Department Center

The initial technology acquisition provided for the purchase of driving simulators at eleven sites. Seven of these sites were provided to agencies not previously in the program and were to be funded at \$372,000 each. The other four sites were to receive upgraded simulators and were funded at \$362,000 due to the vendor providing a \$10,000 trade in for the replaced simulators. Alameda County Sheriff's Department in one of the new agencies and should have been funded at the full amount. It is proposed that the department be provided an additional \$10,000 needed for the new driving simulator site.

E. Proposed Contract With Southbay Regional Training for Mobile Training Simulator

POST has been pursuing the establishment of a system of regional skills centers throughout California that would make easily accessible advanced simulator and other perishable skills training for law enforcement. To date, 17 sites have been established. The region served by the Southbay Regional Training System (including the counties of San Mateo, Santa Clara, San Benito, Santa Cruz and Monterey would be best served by a mobile simulator training capability. This area has high vehicle congestion which suggests the strong need to take the training to the trainees as much as possible. Law enforcement agencies in this area are fully supportive of Southbay's request to be identified as one of POST's regional skills centers.

A contract in the amount of \$834,800 is being proposed for the Southbay Regional Training System. If the Committee concurs, a recommendation to that effect would be in order.

F. Review of Contract Proposals on the Regular Commission Agenda

- (J) Request for Authority to Contract with San Diego State University to Convert the Existing P.C. 832 Interactive Videodisc Course to CD-ROM Format.

Amount: \$190,000.

- (K) Request for Approval to Contract for Additional Presentations of Domestic Violence Training Courses.
Amount: \$145,000.
- (L) Request for Approval to Contract for Assistant Grant Coordinator Position for Existing Violence Against Women Act Grant.
Amount: \$ 82,500.
- (M) Request for Approval to Contract for Development and Two Pilots Robert Presley Institute of Criminal Investigation Hate Crime Course.
Amount: \$ 51,900.
- (N) Request for Approval to Contract for Domestic Violence and Sexual Assault Training Courses.
Amount: \$479,015
- (O) Request for Approval to Contract for Robert Presley Institute of Criminal Investigation Sexual Assault and Child Abuse Courses.
Amount: \$ 97,844
- (P) Request for Approval to Contract for Management Fellow to Coordinate Violence Against Women Act (VAWA) Grant.
Amount: \$120,000
- (Q) Basic Supervisory Pilot Courses Under Contract
Amount: \$180,000
- (R) Supervisory Course Instructors; Training Workshop
Amount: \$108,000
- (T) Request for Approval to Enter Into a Contract for Services of a Special Consultant.
Amount: \$130,000

G. Adjournment

State of California

Department of Justice

MEMORANDUM

Date: September 23, 1999

To: Finance Committee
From: Kenneth J. O'Brien
Subject: Mobile Regional Skills Center Site

Background

At the January 1999 meeting, the Commission approved funding of specified technology equipment for the establishment and development of the seventeen Regional Skills Centers. Part of this acquisition provided for the purchase of new driving and force options simulators to implement this in-service training program.

Since that time, the need for another site, which would operate a mobile system, has been identified. The South Bay Regional Public Safety Training Consortium, which is a Joint Powers Agency of colleges and law enforcement agencies in the counties of San Mateo, Santa Clara, Monterey, San Benito and Santa Cruz, has made a request to be a site.

The extremely heavy commute traffic in the metropolitan areas of this JPA makes the mobile site much more convenient and cost effective for the officers to attend training. A two-hour commute to and from training is not unusual. There are currently two privately funded mobile driving simulator systems in the state, which have provided quality training in the past, which supports the feasibility of mobile systems.

There are about 2400 potential trainees in their service area. The driving simulator trailer would be moved periodically to strategic and centrally located sites convenient to the trainees. The portable force options simulator would be set up at that same site, in a room provided by the site host.

Proposed system

The equipment needed for the mobile system would include a 4 station driving simulator, a 48' trailer and truck, plus a portable force options simulator and related equipment. The estimated cost for the entire system is about \$834,800.00.

The trailer will be modified to expand with an approximate 48" slideout to provide sufficient room inside for effective teaching. It will also be equipped with an instructor control station, storage and a work area. It will have a high capacity air conditioner, plus an on-board generator to provide electrical power when other power is not available.

Cost Breakdown

Four Station Driving Simulator System	\$400,000.00
Force Option Simulator	100,000.00
Custom Expandable Trailer	250,000.00
Tractor	60,000.00
Sales tax on Trailer and Tractor	24,800.00

TOTAL \$834,800.00

A portion of the instructional and operational costs will be reimbursed through a presentation contract with South Bay Regional. This information is submitted for your approval and action. It is recommended that this proposal be approved.

4
State of California

Department of Justice

MEMORANDUM

To: POST Commissioners

Date: October 28, 1999

From: THOMAS KNUTSON
Chairman, Finance Committee
Commission on Peace Officer Standards and Training

Subject: **ACTIONS TAKEN AT THE FINANCE COMMITTEE MEETING -
OCTOBER 27, 1999**

The Committee met yesterday, October 27, 1999, at the Flamingo Resort Hotel in Santa Rosa. In attendance were Commissioners TerBorch, Flannagan, Cobb and myself.

In addition to items already addressed on the agenda, the Committee discussed the following:

Financial Report

- A. The Committee reviewed the quarterly financial report. The report reflects that through the first quarter revenues, reimbursable trainee volume and reimbursement payout are all significantly above projections.
- B. The Committee reviewed projected expenditures for the balance of this Fiscal year. Projections are generally within the budget authorization.

Budget Change Proposals

- C. The Committee received a report on the results of budget change negotiations recently concluded between staff and the State Department of Finance. The Department of Finance has given administration approval for 5.5 new staff positions, \$346,000 to fund a training course auditing program and a \$12 million budget increase for Fiscal Year 2000/01. The \$12 million consists of a \$4 million increase to bring the POST budget in line with increased revenue projections and \$8 million as a one time augmentation that will reduce the current reserve. The \$8 million is earmarked for expansion and improvements of the regional skill training centers.

Following discussion, the Committee recommends Commission action on the following items:

- D. Change in existing Commission policy to increase maximum reimbursable tuition for Behind the Wheel Driver Training courses to \$525.00.
- E. Authorize the Executive Director to sign a contract with the City of West Covina for purchase of a force options simulator in an amount not to exceed \$100,000.
- F. Authorize the Executive Director to sign a contract for a \$10,000 increase with Alameda County Sheriff's Department toward the purchase of a previously authorized \$362,000 contract for purchase of a driver training simulator.
- G. Authorize the Executive Director to sign a contract with the South Bay Regional Training Center to purchase a mobile driver training simulator system in an amount not to exceed \$834,800.

ADJOURNMENT

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Financial Report -First Quarter 1999-2000		Meeting Date October 28, 1999
Bureau Administrative Services Bureau	Reviewed By <i>Frederick Williams</i> Frederick Williams	Researched By Staff
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 10/8/99	Date of Report October 13, 1999
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

1st Quarter report
This report provides financial information relative to the local assistance budget through September 30, 1999. Revenue which has accrued to the Peace Officers' Training Fund is shown, as are expenditures made from the 1999-00 budget to California cities, counties and districts.

COMPARISON OF REVENUE BY MONTH - This report, shown as Attachment 1 identifies monthly revenues which have been transferred to the Peace Officers' Training Fund. Through September 30, 1999, we received \$13,694,492. The total is \$1,209,242 more than originally anticipated, and is \$1,391,614 (11%) more than received for the same period last fiscal year.

NUMBER OF REIMBURSED TRAINEES BY CATEGORY - This report, identified as Attachment 2, compares the number of trainees reimbursed this fiscal year with the number reimbursed last year. The 13,533 trainees reimbursed through the first quarter represent an increase of 2,010 (17%) compared to the 11,523 trainees reimbursed during the similar period last fiscal year (see Attachment 2).

REIMBURSEMENT BY COURSE CATEGORY - These reports compare the reimbursement paid by course category this year with the amount reimbursed last fiscal year. Reimbursements for courses through the first quarter of \$4,642,003 represent a \$1,047,110 (29%) increase compared to last fiscal year (see Attachments 3A and 3B).

SUMMARY

Revenue received for the first three months of the fiscal year is \$1.2 million more than anticipated. Similarly, the number of trainees during the first quarter significantly exceeds the number reimbursed for training during the same time frame last year. These occurrences have contributed to reimbursements which amount to a significant increase over what was the case last year. It is noted that 2,554 trainee reimbursement claims were rolled over from last fiscal year - so as not to exceed 98/99 budget - (amounted to: Updated projections will be provided to the Finance Committee at its October 27, 1999 meeting.

#902/135

File: REVENUE

COMPARISON OF REVENUE BY MONTH

FISCAL YEARS 1988-1989 AND 1989-2000

1988-89										1989-2000									
MONTH	PENALTY ASSESSMENT FUND	TRANSFER FROM DT PAF ***	OTHER	CUMULATIVE MONTHLY ESTIMATE	PENALTY ASSESSMENT FUND	TRANSFER FROM DT PAF ***	OTHER *	TOTAL	% OF EST	CUMULATIVE TOTAL	% OF EST	TOTAL	% OF EST	CUMULATIVE TOTAL	% OF EST	TOTAL	% OF EST	CUMULATIVE TOTAL	% OF EST
JUL	2,990,479	879,426	18,989	\$3,888,894	3,531,568	1,047,896	37,846	\$4,617,310	110.95%	\$4,617,310	110.95%	\$4,617,310	110.95%	\$4,617,310	110.95%	\$4,617,310	110.95%	\$4,617,310	110.95%
AUG	2,861,730	1,137,131	23,988	\$7,911,743	3,089,514	1,242,972	31,832	\$4,364,318	104.87%	8,981,628	107.91%	\$4,364,318	104.87%	8,981,628	107.91%	\$4,364,318	104.87%	8,981,628	107.91%
SEP	2,989,959	1,371,787	19,389	\$12,302,878	3,450,636	1,232,194	30,034	\$4,712,864	113.24%	13,694,492	109.69%	\$4,712,864	113.24%	13,694,492	109.69%	\$4,712,864	113.24%	13,694,492	109.69%
OCT	2,753,725	1,259,214	20,926	\$16,336,443				\$0	0.00%	13,694,492	82.26%	\$0	0.00%	13,694,492	82.26%	\$0	0.00%	13,694,492	82.26%
NOV	2,711,610	1,239,956	24,613	\$20,312,622				\$0	0.00%	13,694,492	65.81%	\$0	0.00%	13,694,492	65.81%	\$0	0.00%	13,694,492	65.81%
DEC	3,218,336	1,471,669	15,700	\$25,018,327				\$0	0.00%	13,694,492	54.26%	\$0	0.00%	13,694,492	54.26%	\$0	0.00%	13,694,492	54.26%
JAN	2,675,323	1,223,362	484,034	\$28,401,046				\$0	0.00%	13,694,492	46.58%	\$0	0.00%	13,694,492	46.58%	\$0	0.00%	13,694,492	46.58%
FEB	2,703,214	1,236,116	36,342	\$33,376,718				\$0	0.00%	13,694,492	40.80%	\$0	0.00%	13,694,492	40.80%	\$0	0.00%	13,694,492	40.80%
MAR	3,041,813	1,390,949	25,149	\$37,834,629				\$0	0.00%	13,694,492	36.30%	\$0	0.00%	13,694,492	36.30%	\$0	0.00%	13,694,492	36.30%
APR	2,794,741	1,276,047	20,622	\$41,928,039				\$0	0.00%	13,694,492	32.70%	\$0	0.00%	13,694,492	32.70%	\$0	0.00%	13,694,492	32.70%
MAY	2,923,611	1,337,114	76,141	\$46,264,905				\$0	0.00%	13,694,492	29.74%	\$0	0.00%	13,694,492	29.74%	\$0	0.00%	13,694,492	29.74%
JUN	3,324,927	1,520,413	492,848	\$51,602,893				\$0	0.00%	13,694,492	27.13%	\$0	0.00%	13,694,492	27.13%	\$0	0.00%	13,694,492	27.13%
TOTAL	\$34,998,468	\$15,345,184	\$1,258,241	\$51,602,893	\$10,071,718	\$3,523,082	\$98,712	\$13,694,492	27.13%	\$13,694,492	27.13%	\$13,694,492	27.13%	\$13,694,492	27.13%	\$13,694,492	27.13%	\$13,694,492	27.13%

* - Includes \$67,820 from coroner permit fees (per Ch 990/90)

***Per Section 24.10, Budget Act of 1989

COMMISSION ON POST
NUMBER OF REIMBURSED TRAINEES BY CATEGORY
SEPTEMBER

Note footnote on this table.

COURSE	1998-99			1999-2000		
	Actual Total For Year	Actual July-Sept	% of Total	Projected Total For Year	Actual September	% of Projection
Basic Course	1,028	227	22%	1,100	354	32%
Dispatchers - Basic	324	78	24%	350	59	17%
Advanced Officer Course	1,878	442	24%	2,000	410	21%
Supervisory Course (Mandated)	634	132	21%	650	119	18%
Management Course (Mandated)	289	27	9%	300	70	23%
Executive Development Course	334	80	24%	350	67	19%
Supervisory Seminars & Courses	3,708	878	24%	3,800	891	23%
Management Seminars & Courses	2,185	377	17%	2,200	224	10%
Executive Seminars & Courses	599	49	8%	600	41	7%
Tech Skills & Knowledge Course	45,834	8,968	20%	46,000	11,069	24%
Field Management Training	48	6	13%	50	11	22%
Team Building Workshops	611	147	24%	650	119	18%
POST Special Seminars	770	112	15%	800	99	12%
Approved Courses	35	0	0%	50	0	0%
Tools for Tolerance	276	0	0%	0	0	N/A
TOTALS	58,553	11,523	20%	58,900	13,533	23%

*2,101 increase
(roll over)*

Attachment 2

* - 2,554 trainees rolled over from June and paid in July 1999 so as not to exceed FY 98-99 budget.

COMMISSION ON POST

REIMBURSEMENT BY COURSE CATEGORY

1998-99

1999-2000

COURSE	Total For Year	Actual July-Sept	Actual September	Actual July-Sept
Basic Course	\$1,578,101	\$419,294	\$29,522	\$363,553
Dispatchers - Basic	291,427	62,445	11,221	35,962
Advanced Officer Course	136,899	36,924	5,361	54,145
Supervisory Course (Mandated)	421,713	79,408	32,751	74,325
Management Course (Mandated)	329,639	24,323	18,697	84,635
Executive Development Course	278,418	64,086	10,103	59,619
Supervisory Seminars & Courses	1,546,542	361,111	141,293	378,845
Management Seminars & Courses	810,440	135,753	20,701	67,981
Executive Seminars & Courses	244,676	23,669	8,931	17,593
Tech Skills & Knowledge Course	11,991,098	2,242,864	1,083,922	3,037,768
Field Management Training	24,246	2,911	2,370	4,877
Team Building Workshops	305,019	80,750	30,922	71,037
POST Special Seminars	238,102	29,166	18,255	37,307
Approved Courses	4,037	0	0	0
Training Aids Technology	914,181	32,189	64,969	354,356
Tools for Tolerance	73,478	0	0	0
TOTALS	\$19,188,016	\$3,594,893	\$1,479,018	\$4,642,003

* - \$902,135 for 2,554 trainees rolled over from June and paid in July 1999 so as not to exceed FY 98-99 budget.

You can locate the \$902,135

COMMISSION ON POST

SUMMARY OF REIMBURSEMENT EXPENSE CATEGORIES

EXPENSE CATEGORIES	FY 1998-99 Total	1998-99 July-Sept	1999 September	1999-2000 July-Sept
Resident Subsistence	\$9,910,210	\$1,924,070	\$630,502	\$2,025,165
Commuter Meal Allowance	1,103,211	243,392	49,013	226,386
Travel	3,022,140	671,965	172,180	607,628
Tuition	3,400,251	689,240	345,478	896,029
Backfill Salary	764,545	34,037	216,876	532,439
Training Technology Assistance	914,181	32,189	64,969	354,356
Tools for Tolerance Training	73,478	0	0	0
TOTALS	\$19,188,016	\$3,594,893	\$1,479,018	\$4,642,003

could be
2 million
or more

* - \$902,135 for 2,554 trainees rolled over from June and paid in July 1999 so as not to exceed FY 98-99 budget.

2nd
Summary

PROVIDED
Summary
of Reimbursement
Expense Categories

COMMISSION ON POSTFISCAL YEAR 1999-00
(AS OF 10-1-99)

EXPENDITURE SUMMARY			CONTRACT SUMMARY	
RESOURCES			APPROVED TRAINING CONTRACTS *	
Revenue Projection	36,476,000	\$68,739,000	Management Course	\$ 479,934
Budget Act Revenue (Sec 24.10)	14,000,000		Executive Training	485,397
Beginning Fund Balance	18,263,000		Supervisory Ldrship Inst	929,647
EXPENDITURES:			DOJ Training Center	1,999,751
ADMINISTRATION			Satellite Video Tng	110,000
		\$10,802,000	Case Law Updates	74,000
TRAINING CONTRACTS/LA			Telecourse Programs	940,000
Contracts Approved (See list)	10,324,510	\$12,184,510	Basic Course Prof Exam-CPS	103,187
Letters of Agreement	1,700,000		Basic Narcotic, Motorcycle, and DT	2,222,658
Conf Room Rental	160,000		Master Instructor Program	283,128
TRAINING REIMBURSEMENT (Trainees: 58,900)			ICI Core Course (SFPD)	117,759
Subsistence	10,365,505	\$20,534,183	PC 832 Exam-PCS	46,528
Commuter meals	1,506,715		Labor/Management Partnership Course	87,608
Travel	3,084,503		Entry level reading/writing-CPS	139,271
Tuition	3,577,460		Entry Level Dispatcher Selection Test Battery-CPS	180,000
Backfill	2,000,000		Cultural Diversity Tng (SDRTC)	169,582
OTHER			Transition Pilot Program Testing-CPS	54,900
		\$4,402,135	ICI Core & Homicide Course-Sac RCJTC	297,075
1. FY 98-9 Contracts carried over	\$1,000,000		ICI Core Course - SDRTC	350,688
2. Tuition Enhancement	\$500,000		ICI - CSU, SJ	196,168
3. Simulators	\$1,000,000		ICI - LAPD	102,773
4. Encryption & multimedia systems	\$1,000,000		ICI Homicide Crs-LASD	91,414
5. FY 98-99 Claims Rolled Over	\$902,135		Instructor Workbooks-OSP	302,801
Contracts on October Agenda			Basic Crs Mod Format-CPS	22,241
		\$1,629,184	Job Analysis of Sups & Mgrs	300,000
1. Convert PC 832 Interactive Videodisc to CD-ROM (J)	\$190,000		DT Scenarios-LASD	33,000
2. Hate Crimes Course Pilots(M)	\$51,900		Crime Analysis Tmg-CSUS	80,000
3. Sexual Assault & Child Abuse Courses (O)	\$124,484			
4. Basic Supervisor Course Pilot (Q)	\$180,000		Miscellaneous Contracts (Annual Estimate)	125,000
5. Supervisor Course Instructor Training Workshop (R)	\$108,000		Total	\$ 10,324,510
6. Management Fellow - Recruitment (T)	\$130,000			
7. Alameda County SD DT Simulator Augmentation (U)	\$10,000			
8. Mobile Training Simulator (U)	\$834,800			
MUSEUM OF TOLERANCE				
		\$2,000,000		
Contract	1,556,000			
Reimbursements	444,000			
EXPENDITURES, TOTAL				
		\$51,552,012		
BUDGET AUTHORIZATION				
		\$47,980,000		
RESERVES/DEFICIT				
		\$17,186,988		
Deficit-A		-\$3,572,012		
Unavailable-B		\$20,759,000		

* - Excludes SB 350 (VAWA) programs

A-This is the amount by which estimated expenditures exceed the authorized level of expenditure per the Governor's Budget
 B-Expenditure of any of this reserve is not permissible as it would exceed the authorized level of expenditure

FY 2000-01 BCP SUMMARY

<u>BCP #</u>	<u>TITLE</u>	<u>PYs</u>	<u>SUPPORT</u>	<u>TRAINING CONTRACTS</u>	<u>LOCAL ASSIST</u>
1.	Local Assistance Augmentation				
	A. Base Augmentation				4,085,000
	B. Regional Skills Centers			7,609,000	
	C. Training Room & Library Equip		320,000		
2.	Computer Services Bur Positions	2	0		
3.	Clearinghouse Coordinator	1(LT)	74,000		
4.	Certificates Position	1	39,000		
5.	Training Course Audit Program	3.7	346,000		
6.	Staff Services Analyst	1	62,000		
7.	Contract Position	.5	14,000		
8.	S & E - Office Tech	1	38,000	-90,000	
9.	Transfer for Training Contracts	0		\$4,081,000	-4,081,000
	Totals	10.2	\$893,000	11,600,000	4,000

<u>Grand Total</u>	
Support	\$ 893,000
Training Contracts	11,600,000
Local Assistance	<u>4,000</u>
Total	\$12,497,000

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

The mission of the California Commission on Peace Officer Standards and Training is to continually enhance the professionalism of California law enforcement in serving its communities.



Gray Davis
Governor

Bill Lockyer
Attorney General

To: POST Commissioners

From: Rick TerBorch, Chairman
Long Range Planning Committee

Re: REPORT OF THE LONG RANGE PLANNING COMMITTEE

The Committee met at POST Headquarters, in Sacramento, on June 18, 1999, at 10:00 a.m. Present were Commissioners TerBorch, del Campo, Kolender, and Scully, and POST staff including Ken O'Brien, Alan Deal, Mike DiMiceli, Glen Fine, and Hal Snow. Visitors present included Jody Buna, Jack Garner, Bob Holmgren, Richard Honey, and Ken Whitman from POST staff, and Gary Winuk, OCJP.

The Committee received reports from staff on the following issues:

Progress Report on Strategic Plan Implementation

The Committee received a report on the progress of implementation of the Strategic Plan. The Strategic Plan Implementation Committee met on April 5, 1999 to review staff recommendations for updating the plan. Each State agency is required to submit the annual revision of its strategic plan on July 1 each year. The Committee approved the staff report and the proposed changes to the plan.

Progress Report on the Transition Program – Pilot Format

The Commission authorized the Transition Program – Pilot Format in 1995. The pilot format divided the Regular Basic Course into a two-part sequence. A community college program presents Part 1. Part 2 is an application-oriented program that is to be presented by any certified Regular Basic Course academy. The pilot program was designed to end in June 1999.

The staff report summarized the observations concerning the program that result from the initial evaluation of Part 1. Staff recommends the pilot program be

extended from two to three years to allow the collection of data that will support a comprehensive evaluation. A report of the evaluation will be available in July 2000.

Following discussion, the Committee approved the staff report and recommends the Commission extend the pilot program for an additional year to permit data collection and program evaluation, and receive a report of the evaluation in July 2000.

Report on the Field Training Program Evaluation Requirement

Commission Procedure D-13-3 (b)(8) described the requirements for the end-of-program critique in the Field Training Program. One requirement is that each field training officer (FTO) be evaluated by the trainee and by a field training administrator or supervisor. The staff report, prepared in response to concerns expressed by Commissioner Hunt about the evaluation component of the program, described the process and intent of an evaluation of the field training officer, and the experience of a number of agencies with this evaluation requirement.

Following discussion, the consensus of the Committee was to direct staff to continue with program implementation.

Report on International Fellow Program

The concept of the International Fellow Program is to send California law enforcement officers to live in countries from which significant number of persons have immigrated to California. At the direction of the Commission, staff augmented earlier research with a survey questionnaire that was sent to approximately 455 law enforcement agency executives. At the time of the report to the Committee, approximately 308 questionnaires (68%) were returned and analyzed by staff.

Following the analysis of the survey and other information, staff concludes that relatively little interest and no statewide need exists for the International Fellow Program concept. Staff recommends POST not pursue further development of the program but continue to explore the opportunities to develop additional cultural diversity training programs.

Following discussion, the Committee accepted the staff report and recommends Commission approval.

Staff Report on the Revision of the Basic Supervisory Course

The Committee received the staff report summarizing the work to revise and improve the Basic Supervisory Course. Improvements being considered and pilot tested include instructor development training, a revised, modular curriculum that emphasizes adult learning and application, and a full-time, in-class coordinator to facilitate the presentation. A staff report with final recommendations the revised course will be presented to the Commission in November 1999.

The Committee received and approved this informational report.

Status Report on the Backfill Reimbursement Program

The Committee received a report concerning the Backfill Reimbursement Program that summarized the history of reimbursement since May 1998 and presented recommendations for changes to the program. Staff estimate approximately \$720,000 will be expended in backfill reimbursement through June 30, 1999. The report presented several options for modifications to the program that may increase participation and reimbursement activity. After considering the fiscal changes recently approved by the Commission, the significant increase in backfill reimbursement, and the absence of baseline costs for several programs, staff presented three recommendations: 1) make no modification to the reimbursement process for FY 99/2000 and assess the fiscal impact of the backfill reimbursement program; 2) approve additional categories of training for backfill reimbursement; and 3) study the feasibility of a requirement that backfill reimbursement funds be maintain in a separate account, subject to audit, in the local agency.

The Committee accepted the report, including the staff recommendations, and recommends Commission approval.

Staff Report on Licensing

In response to Commissioner Hunt's request and at Commission direction, staff presented a report that summarizes the Commission's statutory role in licensing, including the history and current status of certificate revocation.

The Committee received and approved this informational report.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

The mission of the California Commission on Peace Officer Standards and Training is to continually enhance the professionalism of California law enforcement in serving its communities.



POST Advisory Committee Meeting
Wednesday, October 27, 1999
Flamingo Resort Hotel
2777 Fourth Street
Santa Rosa, California
(707) 545-8530

AGENDA

Gray Davis
Governor

Bill Lockyer
Attorney General

10:00 A.M.

- | | | |
|----|--|-------|
| A. | Call to Order and Welcome | Chair |
| B. | Moment of Silence Honoring Peace Officers Killed in The Line of Duty | Chair |

Since the last POST Advisory Committee meeting, the following officers have died while serving the public:

- o Deputy Brad Riches, Orange County Sheriff's Department
- o Office C. Daniel Kelley, Maywood Police Department
- o Deputy Eric A. Thach, Riverside County Sheriff's Department

- | | | |
|----|---|---------------|
| C. | Roll Call and Special Introductions | |
| D. | Audience Introductions | |
| E. | Announcements | Chair |
| F. | Approval of January 20, 1999 Meeting Minutes (Attachment A) | Chair |
| G. | Approval of Minutes of April 7, 1999 Special Meeting of POST Advisory Committee, Re: Governor's Awards (Attachment B) | Chair |
| H. | Demonstration of the Latest Multimedia CD-ROM Training Programs | Staff |
| I. | Report on the California Law Enforcement Image Coalition | Joe Flannagan |

- | | | |
|----|---|---------|
| J. | Report on Basic Course Testing Advancements | Staff |
| K. | Review of Commission Meeting Agenda and Advisory Committee Comments | Staff |
| L. | Advisory Committee Member Reports | Members |
| M. | Commission Liaison Committee Remarks | Members |
| N. | Old and New Business | Members |
| O. | Next Meeting: | Members |

Wednesday, January 26, 2000
Hanalai Hotel, San Diego, CA

- P. Adjournment

MEMORANDUM

To : Long Range Planning Committee

Date: May 13, 1999

**From : Ken O'Brien
Executive Director
Commission on Peace Officer Standards & Training**

Subject: LICENSING

At the Commission meeting of March 11, 1999, Commissioner Hunt requested that the Commission consider action to reinforce its role as a training agency and preclude a role in the licensing of peace officers. There was consensus that the issue of licensing be addressed by the Commission's Long Range Planning Committee at its next meeting. This report is intended to provide committee members with a review of the Commission's role in this regard, as provided for in statutes, and an historical summary of actions and concerns regarding licensing.

Statutory Authority and Responsibility

The Commission is empowered by Penal Code Section 13503 to develop programs and provide services. Consistent with these powers, the Commission has established a strong role in the provision of services to law enforcement.

The Commission is also required by Penal Code Section 13510 to adopt and maintain minimum recruitment standards relating to physical, mental, and moral fitness of specified peace officers and is required to adopt minimum training standards for the same specified peace officers. Minimum standards must be adopted through the promulgation of regulations (Administrative Law) as provided for in Penal Code Section 13506 and the Government Code. These statutory mandates establish a regulatory role for the Commission.

Penal Code Section 13510.1 requires the Commission to maintain the professional certificate program and requires the Commission to cancel certificates when the holders are convicted of felony offenses. The statute provides that the Commission is empowered to cancel any certificate.

Penal Code Section 13510.2 establishes a misdemeanor criminal offense for fraud involving the obtainment or use of professional certificates.

Penal Code 832.4 requires that specified peace officers obtain the POST Basic Certificate within a fixed time period as a condition for authority to exercise the powers of a peace officer.

The Commission, therefore, has statutory obligations regarding the award and cancellation of certificates.

The Basic Certificate, for peace officers specified in Penal Code Section 832.4, is a de facto license.

Historical Summary

In the late 1980s, the Commission directed staff to explore and report on the feasibility of expanding provisions for certificate cancellation. Several instances of egregious criminal conduct reduced by the courts to misdemeanor convictions had been called to the attention of the Commission.

Commissioners believed that the inability to cancel professional certificates in those and similar cases reflected adversely on law enforcement and the Commission. That such individuals could present themselves as certificate holders in good standing was believed to potentially damage the prestige and integrity of the professional certificate program.

Staff sought input and periodically reported to the Commission's Long Range Planning Committee. Input was received from both management and labor. An ultimate direction that evolved out of discussions was to focus cancellation expansion in two ways:

- o Provide for cancellation when the individual is statutorily disqualified under Government Code 1029. This was believed warranted to correct past oversight.
- o Provide for cancellation when the individual is convicted of a misdemeanor in the offense categories of unlawful sexual behavior, assault under color of authority, dishonesty associated with official duties, theft, or narcotics offenses. This was believed to be the only practical way to address the identified need.

An overly broad approach to potential cancellations for misdemeanor convictions would not have been supported by either management or labor and would have held prospects for substantial, and perhaps unwarranted, POST resources devoted to case reviews. The specified offense categories were believed to relate substantially to the qualifications and duties of peace officers. It was also assumed that a narrow focus on these offenses would have a low likelihood of appeals or conflict between the Commission and employing agencies.

This approach to cancellation for misdemeanors was strongly objected to by law enforcement labor leaders. Their belief was:

- o There is no evidence of compelling need for the Commission to act (no evidence that officers convicted of the described misdemeanors are being retained or re-employed)
- o Potential would be created for POST to intervene in local disciplinary processes - substituting its judgment for that now exercised by local civil service boards.
- o Such a move could result in POST assuming an undesirable "licensing" role in conflict with labor unions which would have to devote resources defending members against actions of POST.

Because of the strength of concern voiced by labor leaders, POST staff proposed and the Commission agreed, to even more narrowly focus the scope of cancellation expansion. The narrowed scope retained the offense categories described above but provided for cancellation only when the misdemeanor conviction followed a felony conviction subsequently reduced in Superior Court to misdemeanor status under Penal Code 17 (b) (1) or (3).

A public hearing was held on this proposal in July 1991. The Commission adopted the proposal over the objections of law enforcement labor representatives.

Subsequently, the Commission agreed not to enforce the expanded cancellation regulations pending meetings with labor representatives. Over time, several meetings were held with labor representatives and commissioners. No agreements were reached.

In 1992 the Commission, at the request of labor, sought an Attorney General's Opinion regarding the authority of the Commission to adopt the new certificate regulations. Formal Opinion No. 93-101 was issued on December 8, 1993. The Attorney General concluded that the Commission did have authority by virtue of its mandates to set standards for moral fitness (Penal Code Section 13510). The opinion further concluded, however, that the Commission's regulation was deficient in that the regulation does not specifically declare convictions in the offense categories to constitute lack of moral fitness.

Continued efforts to arrive at agreement between the Commission and labor on this issue culminated in a meeting in September 1995. A task force of commissioners, advisory committee members, and representatives of law enforcement labor and management concurred that:

- o The expanded cancellation provisions should be retained and expanded further to include offenses which have been judicially determined admissible for purposes of impeaching testimony, and
- o The appeals process should be altered to provide that all appeals be heard by a qualified hearing officer.

A public hearing on these further proposed changes was scheduled for April 1996. By coincidence, the April 1996 agenda also included the final report and recommendations of the Strategic Plan Steering committee (members representing a coalition of chiefs, sheriffs, and labor). The Steering Committee was recommending a strategic plan for the Commission that included a proposed move toward professional licensing.

A large group representing law enforcement labor attended the April 1996 meeting to oppose the certificate cancellation regulations under consideration by the Commission. They also opposed the inclusion of licensing in the strategic plan.

The Commission deferred action on the proposed regulations. The newly appointed Strategic Plan Implementation Committee agreed to schedule a meeting with labor representatives to receive further input on the licensing issue.

The Implementation Committee, in September 1996, met with labor representatives in a special meeting to discuss licensing. Following testimony, the Committee acted to recommend support for the existing system (POST Certificate Program) with no further study of licensing at this time. The Commission received and concurred with the recommendation at its November 1996 meeting.

No further Commission actions or discussion of either licensing or certificate cancellation have occurred since 1996. The expanded cancellation provisions adopted in July 1991 remain in POST Regulations but are not enforced due to past Commission decision and because of the previously identified legal deficiency.

Summary Conclusions

POST has a statutory obligation for standards setting, professional certification, and the withdrawal of certification when felony convictions occur.

The statutory requirements imposed on specified peace officers for attainment of the Basic Certificate establishes the Basic Certificate as a license.

There is significant interest in California law enforcement for POST to undertake a more expansive role in certificate cancellation. This interest exists amongst both labor and management. The interest is borne out of a sense of need to add vestiges of professionalization rather than a sense of need to correct improper selection and retention practices.

Notwithstanding the above described interest, many labor leaders have been and no doubt remain strongly opposed to expansion of POST certificate cancellation actions. Their concern seems largely driven by apprehension that POST will become a future adversary of law enforcement unions on individual disciplinary cases.

For the past eight years, the POST Commission has demonstrated deference to the expressed concerns of labor by its decision to not enforce the 1991 cancellation provisions, repeated efforts to reach consensus with labor, its decision against adoption of new cancellation provisions in 1996, and by its removal of licensing from the POST Strategic Plan.

The foregoing is intended to provide a frame of reference for Committee discussion. Obviously, a considerable volume of documentation exists. Staff will be pleased to provide any requested additional information.

COMMISSION ON POST

FISCAL YEAR 1999-00

(AS OF 7-1-99)

EXPENDITURE SUMMARY		CONTRACT SUMMARY	
RESOURCES		APPROVED TRAINING CONTRACTS *	
Revenue Projection	36,476,000	Management Course	\$ 479,934
Budget Act Revenue (Sec 24.10)	14,000,000	Executive Training	485,397
Beginning Fund Balance	18,263,000	Supervisory Ldrship Inst	929,647
		DOJ Training Center	1,999,751
EXPENDITURES:		Satellite Video Tng	110,000
ADMINISTRATION	\$10,802,000	Case Law Updates	74,000
TRAINING CONTRACTS/LA	\$11,784,510	Telecourse Programs	940,000
Contracts Approved (See list)	10,324,510	Basic Course Prof Exam-CPS	103,187
Letters of Agreement	1,300,000	Basic Narcotic, Motorcycle, and DT	2,222,658
Conf Room Rental	180,000	Master Instructor Program	283,128
TRAINING REIMBURSEMENT (Trainees: 58,900)	\$20,534,183	ICI Core Course (SFPD)	117,759
Subsistence	10,365,505	PC 832 Exam-PCS	46,528
Commuter meals	1,506,715	Labor/Management Partnership Course	87,608
Travel	3,084,503	Entry level reading/writing-CPS	139,271
Tuition	3,577,460	Entry Level Dispatcher Selection Test Battery-CPS	180,000
Backfill	2,000,000	Cultural Diversity Tng (SDRTC)	169,582
OTHER		Transition Pilot Program Testing-CPS	54,900
1. FY 98-9 Contracts carried over	\$1,000,000	ICI Core & Homicide Course-Sac RCJTC	297,075
2. Tuition Enhancement	\$500,000	ICI Core Course - SDRTC	350,688
3. Simulators	\$1,000,000	ICI - CSU, SJ	196,168
4. Encryption & multimedia systems	\$1,000,000	ICI - LAPD	102,773
5. Anticipated Additional Contracts	\$600,000	ICI Homicide Crs-LASD	91,414
MUSEUM OF TOLERANCE	\$2,000,000	Instructor Workbooks-OSP	302,801
Contract	1,556,000	Basic Crs Mod Format-CPS	22,241
Reimbursements	444,000	Job Analysis of Sups & Mgrs	300,000
EXPENDITURES, TOTAL	\$49,220,693	DT Scenarios-LASD	33,000
BUDGET AUTHORIZATION	\$47,980,000	Crime Analysis Tng-CSUS	80,000
RESERVES	\$19,518,307	Miscellaneous Contracts (Annual Estimate)	125,000
Spendable-A	-\$1,240,693	Total	\$ 10,324,510
Unavailable-B	\$20,759,000		

* - Excludes SB 350 programs

A-This is the amount of the reserves that can be spent, bringing the total expenditures to the budgeted amount

B-Expenditure of any of this reserve would exceed the authorized level of expenditure per the Governor's Budget

8120 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

The Commission on Peace Officer Standards and Training (POST) is responsible for raising the competence level of law enforcement officers in California by establishing minimum selection and training standards, improving management practices and providing financial assistance to local agencies relating to the training of their law enforcement officers.

SUMMARY OF PROGRAM

REQUIREMENTS	97-98	98-99	99-00	1997-98*	1998-99*	1999-00*
10 Standards	23.5	23.8	24.5	\$3,852	\$6,570	\$5,783
20 Training	42.3	43.2	42.9	18,111	15,138	15,607
30 Peace Officer Training	-	-	-	16,558	26,020	26,590
40.01 Administration	48.5	49.5	50.7	3,839	3,999	4,357
40.02 Distributed Administration	-	-	-	-3,839	-3,999	-4,357
TOTALS, PROGRAMS	114.3	116.5	118.1	\$38,521	\$47,728	\$47,980
0268 Peace Officers' Training Fund				37,465	47,660	47,980
0995 Reimbursements				1,056	68	-

10 STANDARDS

Program Objectives Statement

The standards program establishes job-related selection standards for peace officers and dispatchers. It also provides management consultation to local agencies. Activities include development of examinations and counseling local law enforcement agencies on ways to improve management practices.

Applied research is conducted in the areas of peace officer selection and training, operational procedures and program evaluation in order to meet statutory requirements and to provide management guidance to local law enforcement agencies. The program also provides local agencies with information and technical expertise in the development and implementation of new programs.

Authority

Penal Code Sections 13503, 13512, 13513, and 13551.

Major Budget Adjustments Proposed for 1999-00

- The budget includes \$42,000 from the Peace Officers' Training Fund for increased facilities costs.
- The budget includes 0.9 personnel year and \$65,000 from the Peace Officers' Training Fund to provide staff for POST's Internet web site.
- The budget reflects a permanent transfer of \$2 million from local assistance to state operations to accurately align POST's expenditures.

20 TRAINING

Program Objectives Statement

POST's training program increases the effectiveness of law enforcement personnel by developing and certifying courses that meet identified training needs, by providing scheduling and quality control of such courses, and by assisting law enforcement agencies in providing necessary training and career development programs. POST assesses training on a continuing basis to assure that emerging needs are met. Courses are offered through local community colleges, four-year colleges, universities, police academies, private trainers and training centers. The curricula cover a wide variety of technical and special courses necessary to meet statutorily and Commission established training mandates, maintain effectiveness in police work and address the training needs of recruit, officer, advanced officer, supervisor, manager, executive-level, and other law enforcement agency personnel. Curricula content is updated regularly. The Commission uses proven advanced technologies such as satellite broadcast and computer/video interactive in the delivery of training. POST also presents advanced leadership training for law enforcement supervisors and executives through its Command College and the Supervisory Leadership Institute.

The Commission establishes the basic criteria that must be met by each course in order to obtain POST's certification. Assistance is given to applicable educators and police trainers in preparing and implementing courses and training plans. Evaluation mechanisms are employed to ensure that training instructors and coordinators are adhering to established course outlines and are meeting instruction standards. Failure to meet these standards may cause revocation of course certification.

Job-related selection and training standards for peace officers and dispatchers, established by the Standards Program, are enforced through inspections of local agencies receiving state aid to assure they are adhering to minimum state standards.

Authority

Penal Code Sections 13503 and 13508.

Major Budget Adjustments Proposed for 1999-00

- The budget includes \$76,000 from the Peace Officers' Training Fund for increased facilities costs.
- The budget includes 0.9 personnel year and a savings of \$73,000 to reflect oversight restructuring of the Field Training and Reserve Officer Training programs.

30 PEACE OFFICER TRAINING

Program Objectives Statement

The enforcement of laws and the protection of life and property without infringement on individual liberties are among modern government's most important responsibilities. Carefully selected, highly trained and properly motivated peace officers are important factors in meeting this responsibility. To encourage and assist local law enforcement agencies to meet and maintain minimum standards in the

For the list of standard (lettered) footnotes, see the end of the Governor's Budget.

* Dollars in thousands, except in Salary Range.

8120 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING—Continued

RECONCILIATION WITH APPROPRIATIONS

1 STATE OPERATIONS

0268 Peace Officers' Training Fund *

APPROPRIATIONS	1997-98*	1998-99*	1999-00*
001 Budget Act appropriation.....	\$10,198	\$10,394	\$10,802
011 Budget Act appropriation.....	7,300	7,300	9,120
012 Budget Act appropriation.....	1,536	1,536	1,556
Allocation for employee compensation.....	-	121	-
Allocation for employer's share of health benefits.....	-	12	-
Adjustment per Section 3.60.....	-10	-225	-
Transfer from Local Assistance per Item 8120-011-0268, Provision 2.....	2,100	2,570	-
Totals Available.....	\$21,144	\$21,728	\$21,478
Unexpended balance, estimated savings.....	-86	-	-
TOTALS, EXPENDITURES.....	\$21,058	\$21,728	\$21,478
0995 Reimbursements			
Reimbursements.....	\$990	\$68	-
TOTALS, EXPENDITURES, ALL FUNDS (State Operations).....	\$22,048	\$21,796	\$21,478

SUMMARY BY OBJECT

2 LOCAL ASSISTANCE

	1997-98*	1998-99*	1999-00*
661701 Grants and Subventions (expenditures).....	\$16,473	\$25,932	\$26,502

RECONCILIATION WITH APPROPRIATIONS

2 LOCAL ASSISTANCE

0268 Peace Officers' Training Fund *

APPROPRIATIONS	1997-98*	1998-99*	1999-00*
101 Budget Act appropriation.....	\$21,937	\$28,058	\$26,058
102 Budget Act appropriation.....	444	444	444
Transfer to State Operations per Item 8120-101-0268, Provision 1.....	-2,100	-2,570	-
Totals Available.....	\$20,281	\$25,932	\$26,502
Unexpended balance, estimated savings.....	-3,874	-	-
TOTALS, EXPENDITURES.....	\$16,407	\$25,932	\$26,502
0995 Reimbursements			
Reimbursements.....	\$66	-	-
TOTALS, EXPENDITURES, ALL FUNDS (Local Assistance).....	\$16,473	\$25,932	\$26,502
TOTALS, EXPENDITURES, ALL FUNDS (State Operations and Local Assistance).....	\$38,521	\$47,728	\$47,980

FUND CONDITION STATEMENT

0268 Peace Officers' Training Fund *

	1997-98*	1998-99*	1999-00*
BEGINNING BALANCE.....	\$14,611	\$14,879	\$18,263
Prior year adjustments.....	1,300	-	-
Balance, Adjusted.....	\$15,911	\$14,879	\$18,263
REVENUES AND TRANSFERS			
Revenues:			
125600 Other regulatory fees.....	179	175	175
130700 Penalties on traffic violations.....	33,210	34,803	35,726
142500 Miscellaneous services to the public.....	77	35	35
150300 Income from surplus money investments.....	813	535	535
161000 Escheat of unclaimed checks and warrants.....	3	5	5
Totals, Revenues.....	\$34,282	\$35,553	\$36,476

* Dollars in thousands, except in Salary Range.

8120 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING—Continued

Transfers from Other Funds:				1997-98*	1998-99*	1999-00*
F00178 Driver Training Penalty Assessment Fund per Section 24.10				\$2,151	\$15,491	\$14,000
Totals, Revenues and Transfers				\$36,433	\$51,044	\$50,476
Totals, Resources				\$52,344	\$65,923	\$68,739
EXPENDITURES						
Disbursements:						
8120 Commission on Peace Officer Standards and Training:						
State Operations				21,058	21,728	21,478
Local Assistance				16,407	25,932	26,502
Totals, Disbursements				\$37,465	\$47,660	\$47,980
FUND BALANCE						
Reserve for economic uncertainties				\$14,879	\$18,263	\$20,759

CHANGES IN AUTHORIZED POSITIONS						
	97-98	98-99	99-00	1997-98*	1998-99*	1999-00*
Totals, Authorized Positions	114.3	122.5	122.5	\$5,810	\$6,049	\$6,117
Salary adjustments	-	-	-	-	121	122
Totals, Adjusted Authorized Positions	114.3	122.5	122.5	\$5,810	\$6,170	\$6,239
Proposed New Positions:						
Salary Range						
Law Enforcement Consultant II	-	-	1.0	5,071-5,591	-	61
Assoc Info Sys Analyst	-	-	1.0	3,602-4,346	-	43
Acctg Techn	-	-	0.3	2,038-2,477	-	7
Temporary Help	-	-	0.3	-	-	8
Totals, Proposed New Positions	-	-	2.6	-	-	\$119
Total Adjustments	-	-	2.6	-	\$121	\$241
TOTALS, SALARIES AND WAGES	114.3	122.5	125.1	\$5,810	\$6,170	\$6,358

8140 STATE PUBLIC DEFENDER

Program Objectives Statement

The Office of the State Public Defender was established in July 1976 by Chapter 1125, Statutes of 1975, and has offices in Sacramento and San Francisco. The State Public Defender, upon appointment by the court or upon the request of the person involved, may employ deputies and other employees, or may contract with county public defenders, private attorneys, and nonprofit corporations to furnish legal services in capital appeals to persons who do not have the financial means to employ private counsel. The State Public Defender may pay a reasonable sum for legal services provided pursuant to contracts and may also enter into reciprocal or mutual assistance agreements with boards of supervisors of one or more counties to provide for exchange of personnel.

Chapter 869, Statutes of 1997 (SB 513), revised the mission of the State Public Defender. Except for training new attorneys utilizing noncapital cases, the State Public Defender is now required to focus its resources exclusively on post-conviction proceedings following a judgment of death. Pursuant to Chapter 869/97, effective January 1, 1998, the State Public Defender will only be assigned direct death penalty appeals by the State Supreme Court. Cases involving habeas corpus proceedings will be assigned by the Supreme Court to the newly created California Habeas Resource Center or to private counsel.

Authority

Government Code Sections 15400-15404, 15420-15425; Penal Code Sections 1026.5 and 1240.

SUMMARY OF PROGRAM REQUIREMENTS						
	97-98	98-99	99-00	1997-98*	1998-99*	1999-00*
10 State Public Defender	88.5	119.8	119.8	\$10,064	\$11,020	\$11,000
TOTALS, PROGRAMS	88.5	119.8	119.8	\$10,064	\$11,020	\$11,000
0001 General Fund				10,049	11,020	11,000
0995 Reimbursements				15	-	-

For the list of standard (lettered) footnotes, see the end of the Governor's Budget.
 * Dollars in thousands, except in Salary Range.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

The mission of the California Commission on Peace Officer Standards and Training is to continually enhance the professionalism of California law enforcement in serving its communities.



POST Advisory Committee Meeting
Wednesday, October 27, 1999
Flamingo Resort Hotel
2777 Fourth Street
Santa Rosa, California
(707) 545-8530

AGENDA

Gray Davis
Governor

Bill Lockyer
Attorney General

10:00 A.M.

- | | | |
|----|--|-------|
| A. | Call to Order and Welcome | Chair |
| B. | Moment of Silence Honoring Peace Officers Killed in The Line of Duty | Chair |

Since the last POST Advisory Committee meeting, the following officers have died while serving the public:

- o Deputy Brad Riches, Orange County Sheriff's Department
- o Office C. Daniel Kelley, Maywood Police Department
- o Deputy Eric A. Thach, Riverside County Sheriff's Department

- | | | |
|----|---|---------------|
| C. | Roll Call and Special Introductions | |
| D. | Audience Introductions | |
| E. | Announcements | Chair |
| F. | Approval of January 20, 1999 Meeting Minutes (Attachment A) | Chair |
| G. | Approval of Minutes of April 7, 1999 Special Meeting of POST Advisory Committee, Re: Governor's Awards (Attachment B) | Chair |
| H. | Demonstration of the Latest Multimedia CD-ROM Training Programs | Staff |
| I. | Report on the California Law Enforcement Image Coalition | Joe Flannagan |

- | | | |
|----|---|---------|
| J. | Report on Basic Course Testing Advancements | Staff |
| K. | Review of Commission Meeting Agenda and Advisory Committee Comments | Staff |
| L. | Advisory Committee Member Reports | Members |
| M. | Commission Liaison Committee Remarks | Members |
| N. | Old and New Business | Members |
| O. | Next Meeting: | Members |

Wednesday, January 26, 2000
Hanalai Hotel, San Diego, CA

- P. Adjournment

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

The mission of the California Commission on Peace Officer Standards and Training is to continually enhance the professionalism of California law enforcement in serving its communities.



POST Advisory Committee Meeting
January 20, 1999
Bahia Hotel
San Diego, CA

MINUTES

Gray Davis
Governor

Bill Lockyer
Attorney General

CALL TO ORDER

The meeting was called to order at 10:00 a.m. by Chairman Charles Byrd.

MOMENT OF SILENCE

The advisory Committee held a moment of silence in honor of the following officers who have lost their lives while serving the public since the last Committee meeting:

Officer Brian Ernest Brown, Los Angeles Police Department
Deputy Sandra L. Larson, Sacramento County Sheriff's Department
Officer Rick C. Cromwell, Lodi Police Department
Deputy John P. Monego, Alameda County Sheriff's Department
Captain Jake Stasko, San Francisco Police Department
Officer James Williams, Jr., Oakland Police Department

ROLL CALL OF ADVISORY COMMITTEE MEMBERS

Members present:

Joe Flannagan, Peace Officers' Research Association of California
(PORAC)
Derald Hunt, California Association of Administration of Justice
Educators
Leisha Lekawa, Women Peace Officers' Association of California
(WPOA)
Earl Robitaille, Public Member
Leo Ruelas, California Community Colleges
G. "Sandy" Sandoval, California Specialized Law Enforcement

Woody Williams, California Peace Officers' Association (CPOA)
Robert Blankenship, California Police Chief's Association (CPCA)
Kevin Mince, California Highway Patrol

Members absent:

Don Brown, California Organization of Police and Sheriffs (COPS)
Mike Reid, California Association of Police Training Officers (CAPTO)
Norman Cleave, California Academy Directors' Association (CADA)
Judith Valles, Public Member

Commission Members Present

Rick TerBorch
Michael Carre
Philip del Campo
David Anderson

POST Staff Present

Kenneth J. O'Brien, Executive Director
Glen Fine, Assistant Executive Director, Administrative Services
Hal Snow, Assistant Executive Director, Standards and Development
Division
Mike DiMiceli, Assistant Executive Director, Field Services Division
Bud Lewellan, Bureau Chief, Training Program Services
Anita Martin, Executive Assistant

ANNOUNCEMENTS

Woody Williams announced that CPOA would be having "Legislative Day" on April 6, 1999, in Sacramento.

APPROVAL OF MINUTES OF NOVEMBER 4, 1998 MEETING

Leo Ruelas suggested the Minutes be amended in the following manner:

"Page 5, line 2, \$100 million be changed to \$150 million"

MOTION – Williams, second – Lekawa, carried unanimously to approve the minutes of the November 4, 1998 meeting at the Picadilly Inn Hotel in Fresno.

REPORT ON 1998 GOVERNOR'S AWARD

Leisha Lekawa, Chairman of the Governor's Award Screening Committee, reported that she and the following members of the Committee had met the previous day, January 19, 1999:

Charles Byrd
Robert Blankenship
Joe Flannagan
Derald Hunt
Kevin Mince
Mike Reid
Earl Robitaille
Leo Ruelas
Sandy Sandoval
Woody Williams
Judith Valles

Ms. Lekawa further reported that the Committee recommended Sergeant Duane Frederickson of the Eureka Police Department, to receive the award for the Individual Achievement category and the San Bernardino Police Department to receive the award for the Organizational Achievement category. There was no recommendation for the Lifetime Achievement category.

The Committee also recommended that a subcommittee of the POST Advisory Committee be formed and meet to review the award categories and criteria for selection, because it appears some areas need to be updated. The subcommittee will then report back to the full Advisory Committee.

The Committee also recommended that POST award a certificate for special recognition to second place finishers. This will be adopted into the program. The Second Place award for the Individual Achievement category went to Greg Dossey, Los Angeles Police Department. The Second Place award in the Organizational Achievement category went to the West Covina Police Department.

There was a discussion concerning the need to advertise and educate agencies, and others in the field, in an effort to bring about proposals of more qualified nominees for the awards.

MOTION - Lekawa, second - Flannagan, carried unanimously to accept the nomination of Duane Frederickson, Eureka Police Department, for the Individual Achievement Award, and the nomination of the San Bernardino Police Department for the Organizational Achievement Award; to accept the Committee's recommendation that no award be given for the Lifetime Achievement category; and to accept the

recommendation that a subcommittee to the Advisory Committee meet and review the selection criteria.

MOTION – Hunt, second – Williams, carried unanimously to accept the Committee's recommendation to award a Certificate for "Second Place" in each category.

REPORT OF THE LAW ENFORCEMENT IMAGE COALITION

Joe Flannagan, Chairman of the Law Enforcement Image Coalition Committee, welcomed Derald Hunt back to the Committee after his absence. Mr. Flannagan reported that the committee met last in Ontario. Captain Katie Roberts was present at that meeting and she reported that she has been working closely with the cable company in Ontario. Two PSAs have been completed and a third is currently being filmed. These will be aired free of charge to all cable subscribers within the Ontario Inland Empire area, and they will be made available to all cable channels throughout the State of California. Joe Flannagan stated that he expects to be able to present the PSAs at the next Advisory Committee meeting.

Mr. Flannagan reported that several hours were spent in discussion of a planned telecourse. The next meeting of the Coalition will be in San Diego on February 2 and 3, 1999. Filming will begin February 4, 1999. Mr. Flannagan said he expects the end result to be a quality production that POST will be proud of and able to share with other states.

INTRODUCTION OF NEW ADVISORY COMMITTEE MEMBER, AL WATERS

At the last Commission meeting, the Commission added a position to the POST Advisory Committee, that of the California Coalition of Law Enforcement Associations (CCLEA). Al Waters has been nominated to represent CCLEA and it is anticipated that the Commission will appoint him on January 21, 1999, the following day. Al Waters was welcomed to the Committee.

PROPOSED POLICY CHANGE TO PERMIT ALTERNATIVE REPRESENTATIVE ATTENDANCE TO ADVISORY COMMITTEE MEMBERS

Assistant Executive Director, Hal Snow, reported that Don Brown was unable to attend the meeting because he is under a federal subpoena in connection with his job. However, Mr. Brown has proposed the committee allow alternates to attend the Advisory Committee meetings when the representative is unable to be there. Hal Snow stated that the longstanding policy of the committee is to not permit alternates. The purpose of that rule is to have continuity of thought among the members of the committee. However, he stated that Don Brown believes that excused absences are unavoidable from time to time, and it would be convenient to have alternates attend.

Robert Blankenship stated that he would be very much opposed to allowing alternates because he felt that the consistency of the group would suffer.

Leisha Lekawa stated that she would also oppose allowing alternates to serve because it takes some time to understand the process and she feels it would be very difficult for anyone just coming in to be properly prepared and able to cast an informative vote.

Joe Flannagan stated that, at present, when he is absent from a meeting, he may select someone to attend the meeting and take notes for him and that person would be free to do so at their own cost. However, he is opposed to allowing an alternate to take the member's place and cast the member's vote.

Commissioner Mike Carre stated that he felt that the Committee would be opening itself up to undue criticism by allowing alternates at this time, since this was not allowed in the past when members were absent.

Woody Williams stated that it is not clear to him how an alternate could be selected for one of the public members. This would result in unequal representation and would be one reason he would oppose allowing alternates.

Derald Hunt stated that he is also opposed. Mr. Hunt stated that he felt it was not difficult for a member, after one or two absences, to keep abreast of the Committee's actions and agenda, and to even contribute information, because the member will receive the Meeting Minutes.

It was Committee consensus that present policy should continue.

REVIEW OF COMMISSION AGENDA AND ADVISORY COMMITTEE COMMENTS

POST Commission Agenda Item D – Public Hearing on the Report and Recommendation to Approve Revisions to the Continuing Professional Training (CPT) Requirement

As part of POST's Strategic Plan, Objective A.3, a year-long study was conducted to determine if the current CPT requirement was meeting the needs of law enforcement. Presently, the CPT requirement specifies that every peace officer below the rank of middle-management satisfactorily complete an Advanced Officer Course or other training approved by POST of 24 hours or more at least every two years. POST staff prepared a report on the CPT requirement based on an extensive review of POST records, input from three ad hoc committees and a CPT survey of all law enforcement agencies in the POST program. The report recommended the following changes:

- Extension of the CPT requirement to middle managers, executives, Level II reserve officers, dispatchers and dispatch supervisors;
- Expand the means for satisfying the CPT requirement to include Executive Training Courses and Seminars;
- Modify POST Regulation 1005 (d) and POST Procedure D-2 to conform to the change in wording from Advanced Officer Course to Continuing Professional Training, and add Ethics and Perishable Skills to the list of recommended topics.

There was a discussion concerning this requirement as it relates to dispatchers and dispatcher supervisors. Woody Williams commented that while the revisions to 24 hours for other positions are appropriate, it seems excessive for dispatchers. He proposed recommending to the Commission an interim step of 16 hours for dispatchers and dispatcher supervisors.

MOTION - Williams, second - Mince, carried unanimously that the committee recommend to the Commission an extension of the CPT requirement to 16 hours, as it relates to dispatchers and dispatcher supervisors.

Staff reviewed the remaining items on the January 21, 1999, Commission Agenda and responded to questions and discussion of the issues.

The committee had no issues or concerns after review of the remaining agenda.

ADVISORY COMMITTEE MEMBER REPORTS

Peace Officers' Research Association of California (PORAC)

Joe Flannagan announced that PORAC offices have moved to a new location. PORAC will hold an open house on February 17, 1999, and Officer Flannagan extended personal invitations to the Commission and to members of the Advisory Committee. Steve Craig was re-elected President by unanimous vote and Clancy Faria was elected Vice President. Mr. Faria is a Sergeant on the Sonoma County Sheriff's Department.

He reported that PORAC has serious concerns about SB 78 (Murray). The bill requires that every traffic stop or action taken by police officers in the field must be documented with a report. If this bill becomes law, it would place a great financial burden upon local agencies.

Officer Flannagan also commented on PORAC's interest in the development of some type of Leadership institute for "nonsupervisors". In response, a discussion ensued regarding a current program based on the SLI format, providing career development and

leadership classes. The program conforms to the concept desired by PORAC and was developed under the CPOA umbrella. This program has been heretofore located in the Tri-County area - coastal region - but is now going statewide into the other CPOA regions.

Women Peace Officers' Association of California (WPOA)

Leisha Lekawa reported that Janis Trullson of San Joaquin County District Attorney's Office, recently received an award from the International Association of Women Police and was given a trip to Alaska with her family to accept the award.

The next WPOA meeting is scheduled for February 6, 1999 in Coronado, with the Board meeting on February 7th.

California Association of Administration of Justice Educators (CAAJE)

Derald Hunt reported that he was very pleased to be present at the meeting after his recent illness.

Mr. Hunt distributed a recent CAAJE newsletter which contained information concerning POST's web site. Included in the newsletter is reference to the upcoming CAAJE conference and mention of the scholarship program.

California Police Chiefs Association (CPCA)

Bob Blankenship reported that CPCA will be holding its conference in Fresno in February. In addition, he reported that the CPCA has been involved over the last few years in an issue related to the group home industry. The Legislature has appointed a committee to look into this matter and make recommendations. CPCA is chairing the committee and is in the process of compiling the final draft to be sent back to the Legislature. In essence, the recommendation holds Group Home providers criminally responsible for theft of money.

California Specialized Law Enforcement

Sandy Sandoval reported that two bills that passed the Legislature last year, SB 1626 and SB 1627 (Hughes), will have a significant positive impact upon training of School District Police Officers. As a result of this and with the assistance of POST staff and other experts from around the state, CSLE has put together a forty-hour curriculum that should be in place by the month of July. Mr. Sandoval emphasized that POST staff member, Ted Prell had done a commendable job of completing this project within a very short period of time.

In addition, Mr. Sandoval stated that his association supported new legislation related to increased mandated training for specialized officers. Staff reported that POST was sponsor of the bill. However, because staff anticipates a great deal of opposition from administrative agencies, the measure will be withdrawn from committee for this year. Meanwhile, POST staff intends to work with the opposing agencies to eliminate concerns so that the bill can move forward next year. If a supporting "partnership" can be established between POST and the agencies involved, the bill will have a good chance of becoming law.

California Peace Officers' Association (CPOA)

Woody Williams reported that Law Enforcement Legislative Day will be April 6, 1999, at the State Capitol. CPOA's annual conference will be in September 7-10 at South Lake Tahoe. He also reported that on September 29th and 30th CPOA will for the first time, be holding the COPS West Trade Show as a separate event in Ontario, California. There may be as many as 1,200 to 1,300 exhibitors at that event.

Mr. Williams also remarked that, with respect to the need for leadership training, the pilot program currently being done in the Tri-County area of the Central Coast, will be provided throughout the State by the end of the year. This is a 40-hour course modeled after the SLI program.

California Community Colleges

Leo Ruelas reported that with the recent passage of the Vocational Technology Act, California will receive approximately \$100 million, equally divided, for new technology support, professional development, and curriculum development. Dr. Ruelas suggested that, since all of these areas are of great interest to POST, it would be a good opportunity to develop partnerships between agencies, colleges, and POST in an effort to launch these activities.

California State Sheriffs' Association (CSSA)

Charlie Byrd reported that the new President for the California State Sheriffs' Association is Charles Plummer of Alameda County, who replaces Glenn Seymour of Madeira County.

COMMISSION LIAISON COMMITTEE REMARKS

Commissioner Mike Carre reported that he has been promoted to Commander and will no longer be representing labor on the POST Commission. For this reason he does not expect to continue on as a member of the POST Commission.

OLD AND NEW BUSINESS

Executive Director, Ken O'Brien, reported that the Governor had terminated 135 unconfirmed appointees to various state boards and commissions. Of that number, five were POST commissioners appointed by the former Governor, and included Chairman Collene Campbell, Chief Charles Byrd, Sheriff Bob Blankenship, Barbara Warden and Chief Charles Brobeck. Unless eight Commissioners are present at the meeting on the 15th there will not be a quorum. It is possible to hold a Commission meeting without a quorum, but no business could actually be transacted.

FUTURE COMMITTEE MEETINGS

Governor's Awards Committee
April 7, 1999 - Governor's Inn, Sacramento

Next Advisory Committee meeting
July 14, 1999 - Burbank Hilton, Burbank

Future Advisory Committee meeting
November 3, 1999 - Flamingo Hotel, Santa Rosa

Adjournment: 12:30 p.m.

Respectfully submitted,

Anita Martin

Anita Martin
Secretary

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

The mission of the California Commission on Peace Officer Standards and Training is to continually enhance the professionalism of California law enforcement in serving its communities.



LEGISLATIVE REVIEW COMMITTEE

Thursday, October 28, 1999
Flamingo Resort Hotel
2777 Fourth Street
Santa Rosa, California
(707) 545-8530

AGENDA

Gray Davis
Governor

Bill Lockyer
Attorney General

MEMBERS

Bill Kolender, Chairman
Tom Knutson
Bill Lockyer
Jan Scully

9:00 A.M.

- | | | |
|----|---------------------------------|--------------|
| A. | Call to Order | Chairman |
| B. | Review of Chaptered Legislation | Attachment A |
| C. | Proposed Legislation for 2000 | Attachment B |

SAFETY RETIREMENT RETENTION BILL

To fill vacant LEC positions, POST targets sworn supervisory and management employees of local law enforcement agencies. Many of these candidates enjoy safety retirement status within PERS. Currently employed LECs are not designated as safety employees by PERS or the State and fall under the "Miscellaneous" retirement classification. Thus, LEC candidates must give up their safety retirement status to come to work for POST. This dynamic has created recruitment problems in the past.

This bill proposes to allow qualified LECs hired after January 1, 2001, to maintain their safety retirement status as a "State peace officer/firefighter member" of PERS. Candidates who do not possess safety retirement status with PERS at the time they accept an LEC position with POST would be placed

in the Miscellaneous retirement classification. Safety retirement status would not be conferred on currently employed or retired POST LECs.

Proposed bill language is included as Attachment B.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1999 Status of Active Legislation of Interest to POST
(Revised October 13, 1999)

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
AB 1326 Baugh	Miranda Rights Training: This bill would require that law enforcement officers not be trained that it is permissible to continue questioning a suspect who is in custody once that suspect has unequivocally invoked his or her right to remain silent or to have an attorney present. <i>Commission Position: Neutral</i>	Two-Year Bill
AB 1334 Lowenthal	POST Commission Representation: This bill would increase the membership of the POST Commission to 14 members by increasing the number of members who are peace officers with the rank of sergeant or below from three to four. <i>Commission Position: Neutral</i>	Chaptered 702
AB 1336 Washington	Housing Authority Police Officers: This bill would amend Penal Code Sections 13510 and 13526.2 and would permit the City of Los Angeles and the City of Oakland Housing Authority Police Departments to become reimbursable agencies. <i>Commission Position: Neutral</i>	Chaptered 301
AB 1492 Thomson	Traumatic Brain Injury Fund: This bill would revise the existing statutory formula for distributing revenue from the State Penalty Assessment Fund by deleting the current \$500,000 per year cap on Traumatic Brain Injury Project funding and the existing pro rata distribution of funds in excess of that amount. <i>Commission Position: Oppose</i>	Chaptered 1023
AB 1494 Wildman	Peace Officers: Los Angeles Unified School District: This bill would require the Commission to complete a feasibility study on a proposed change in designation for the Los Angeles Unified School District Police Department from Penal Code Section 830.32 to Section 830.1. This bill would also expand the scope of peace officer feasibility studies conducted by POST. <i>Commission Position: Support</i>	Two-Year Bill
SB 66 Murray	Crime Prevention: Peace Officer Training: This bill calls for POST to incorporate specific cultural diversity topics into the Basic Course and would require California peace officers to receive refresher training in this area every five years. <i>Commission Position: Support</i>	Two-Year Bill

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
SB 78 Murray	Department of Justice: Annual Report: This bill would require all California police officers to collect specific data when conducting vehicle stops. This data would be sent to the Department of Justice to be included in its annual Uniform Crime Report statistics. The data collected would be used for research and statistical purposes. <i>Commission Position: Oppose</i>	Vetoed
SB 122 Haynes	Public Safety Training Facilities: This bill is titled the Public Safety Training Pilot Project Act of 1999. It would create the Public Safety Training Facilities Fund which would finance a three-year pilot project to develop three regional skills centers. <i>Commission Position: Neutral</i>	Two-Year Bill
SB 163 Hughes	Adult Abuse: This bill authorizes four counties (Los Angeles, San Francisco, Ventura, and Riverside) to form Fiduciary Abuse Specialist Teams (FAST) to protect elder citizens from financial abuse. <i>Commission Position: Neutral, unless amended</i>	Vetoed
SB 359 Knight	Reserve Peace Officers: This bill would require that a reserve officer previously satisfying specified training requirements and serving as a level I or II reserve officer in one law enforcement agency be deemed qualified even though that reserve officer accepts a new appointment at the same level in another law enforcement agency. <i>Commission Position: Neutral</i>	Chaptered 111
SB 381 Baca	Peace Officer Equipment: This bill would move protective vests (body armor) from the category of recommended safety equipment to the category of required safety equipment to be furnished to peace officers. <i>Commission Position: Neutral</i>	Two-Year Bill
SB 747 Burton	Peace Officer Training: This bill would authorize POST to implement comprehensive tests in the Basic Course (i.e., mid-term and final examinations). It would also transfer responsibility for security guard tear gas training from POST to the Department of Consumer Affairs. <i>Commission Position: Support</i>	Chaptered 852

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1999 Status of Informational Legislation of Interest to POST

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
AB 115 Maddox and Baugh	Local Law Enforcement Funding: This bill would annually appropriate \$100,000,000 from the General Fund to the Controller to fund the supplemental local law enforcement funding provisions and would extend the operation of those provisions indefinitely.	Dead
AB 557 Nakano	Forensic Identification: Felony Conviction: This bill would require that any person convicted of first-degree burglary be required to submit blood and saliva samples, a right thumb print, and full palm print impressions for law enforcement identification and analysis and inclusion in the DNA and Forensic Identification Data Base program administered by the Department of Justice.	Two-Year Bill
AB 767 Pacheco	Crime Prevention: Protection of Public Officials: This bill would provide that any person convicted of the commission or attempted commission of crimes against public officials performing official duties shall receive a five-year enhancement in addition and consecutive to the penalty prescribed.	Two-Year Bill
SB 355 Hughes	Peace Officers: Community Colleges and School Districts: Gives community college peace officers the same protection that other peace officers have handling domestic violence cases.	Chaptered 659
SB 524 Polanco	Law Enforcement Mentoring Program for At-Risk Youth: This bill would establish a task force to recommend to the Legislature the substantive components of a peace officer educational and mentoring program for at-risk youth that would prepare these youth for a career in law enforcement.	Vetoed
SB 611 Alarcon	Biological Agents and Chemical Weapons: This bill makes it a felony for any person to knowingly develop or deliver a biological agent. Additionally, any person threatening to commit a crime with a biological agent would be charged with a felony. By creating new crimes, this bill would impose a state-mandated local program.	Two-Year Bill
SB 978 Solis	Police Departments: Gang and Pregnancy Prevention: This bill would require every local police department in this state to establish within the department a unit or division comprised of officers who are specially trained to work with at-risk youth and in gang and pregnancy prevention. This bill imposes a state-mandated local program.	Two-Year Bill

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
SB 1016 Bowen	Employee Records: This bill would prohibit an employer from inspecting, reviewing, or retaining any personal, non-business-related electronic mail or other private computer records of an employee without the consent of the employee. Violation of this prohibition would be a misdemeanor.	Vetoed
SCA 10 Perata	Public Safety Services: This measure would amend the California Constitution to provide for the Citizens Public Safety and Security Act of 2000. Specifically, this measure would prohibit a local government from entering into any agreement with any person to perform an essential public safety service.	Senate Public Safety Committee

SAFETY RETIREMENT RETENTION BILL - PROPOSED LANGUAGE

SECTION 1. (a) The legislature finds that the Commission on Peace Officer Standards and Training (POST) provides valuable programs and services to California law enforcement agencies. These programs and services are managed by a classification entitled Law Enforcement Consultant (LEC). Law Enforcement Consultants are recruited from management and executive levels of local and State law enforcement agencies. LECs employed by POST possess many skills reflecting years of experience in law enforcement operations and management.

(b) The legislature also recognizes the difficulty POST has experienced in recruiting qualified LEC applicants due to disparities in an applicant's existing salary, benefits, and retirement program and that offered by the State of California. Of the 29 authorized LEC positions, several have gone unfilled for as long as two years.

(c) The legislature also notes that currently employed POST LECs are designated as either Miscellaneous Tier 1 or Tier 2 members of the Public Employees Retirement System (PERS). Most applicants for the LEC position are sworn law enforcement officers who enjoy peace officer safety retirement status with PERS. Upon accepting employment as an LEC with POST, they surrender their peace officer safety retirement status. Many qualified applicants have noted, when rejecting an LEC job offer from POST, that their decision rested on the fact that they did not wish to lose their peace officer safety retirement status.

(d) The legislature finds that it would greatly enhance POST recruitment and retention efforts if POST LECs hired after January 1, 2001, who possess PERS peace officer safety retirement status at the time an LEC job offer is made, be allowed to maintain their safety retirement status in the "State peace officer/firefighter member" classification throughout their employment with POST. PERS safety retirement status would not be conferred on currently employed or retired POST LECs.

SEC. 2. Section 20392 of the Government Code is amended to read:

20392. "State peace officer/firefighter member" also includes officers and employees with the following class titles of:

<u>Class</u>	<u>Classification</u>
<u>Code</u>	
6875	Air Operations Officer I
1056	Air Operations Officer II
1053	Air Operations Officer III

Class**Code**

6877

6882

1050

8997

9694

9904

9903

9662

9911

9013

9086

9010

1077

1095

1072

8979

1083

1082

9001

8990

1047

1049

9090

8418

8421

9039

9028

9007

1060

1046

9579

9578

6387

1937

8527

8528

8416

0992

8217

1992

Classification

Air Operations officer I (Maintenance)

Air Operations Officer II (Maintenance)

Air Operations Officer III (Maintenance)

Arson and Bomb Investigator

Board Coordinating Parole Agent, Youthful

Offender Parole Board

Correctional Counselor I

Correctional Counselor II

Correctional Officer

Case Work Specialist, Youth Authority

Deputy State Fire Marshal III (Specialist)

Deputy State Fire Marshal

Deputy State Fire Marshal III (Supervisor)

Fire Apparatus Engineer

Fire Captain

Fire Control Aid

Firefighter

Firefighter I

Firefighter II

Firefighter (Correctional Institution)

Firefighter/Security Officer

Fire Prevention Officer I

Fire Prevention Officer II

Fire Service Training Specialist III

Fish and Game Patrol, Lieutenant

Fish and Game Warden, Department of Fish and Game

Senior Food and Drug Investigator

Food and Drug Program Specialist

Food Technology Specialist

Forestry Aid

Forestry Pilot-(Helicopter)

Group Supervisor

Group Supervisor Trainee

Heavy Fire Equipment Operator

Hospital Peace Officer I

Law Enforcement Consultant I (POST)***Law Enforcement Consultant II (POST)***

Lieutenant Fish and Game Patrol Boat

Lifeguard

Medical Technical Assistant, Correctional Facility

Museum Security Officer I

<u>Class Code</u>	<u>Classification</u>
9701	Parole Agent I, Youth Authority
9765	Parole Agent I, Adult Parole
9696	Parole Agent II, Youth Authority (Specialist)
9763	Parole Agent II, Adult Parole (Supervisor)
9762	Parole Agent II, Adult Parole (Specialist)
8215	Senior Medical Technical Assistant
8359	Sergeant, California State Police
8980	State Fire Marshal Trainee
9723	State Forest Ranger I (Nonsupervisory)
9724	State Forest Ranger II (Nonsupervisory)
0983	State Park Ranger I
8464	State Police Officer
8358	State Security Officer
8989	Captain Firefighter/Security Officer
8410	Warden-Pilot Department of Fish and Game
9581	Youth Counselor

A member who is employed in a position that is reclassified to state peace officer/firefighter pursuant to this section may make an irrevocable election in writing to remain subject to the service retirement benefit and the normal rate of contribution applicable prior to reclassification by filing a notice of the election with the board within 90 days after notification by the board. A member who so elects shall be subject to the reduced benefit factors specified in Section 21353 or 21354.1, as applicable, only for service also included in the federal system.

This bill would declare that it is to take effect immediately as an urgency statute.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

The mission of the California Commission on Peace Officer Standards and Training is to continually enhance the professionalism of California law enforcement in serving its communities.

LEGISLATIVE REVIEW COMMITTEE

THURSDAY, July 15, 1999

Burbank Hilton Hotel

Burbank, CA

(818) 843-6000



MEMBERS

Bill Kolender (C)

Gray Davis
Governor

Tom Knutson

Bill Lockyer

Bill Lockyer
Attorney General

Jan Scully

AGENDA

GW 9/11
SB 359
Reserves
Appointment Level
When transferring
between agencies
Signed by Law
Urgency Bill

9:00 A.M.

Attachment

A. Amendments and Modifications to Active Legislation of Interest to POST

1. AB 1326 Baugh - Miranda Rights Training: This bill would require that law enforcement officers not be trained that it is permissible to continue questioning a suspect who is in custody once that suspect has unequivocally invoked his or her right to remain silent or to have an attorney present.
Commission Position: Neutral
2. AB 1334 Lowenthal - POST Commission Representation: This bill would increase the membership of the POST Commission to 14 members by increasing the number of members who are peace officers with the rank of sergeant or below from three to four. This bill would specify that the Attorney General is a non-voting member except to break a tie vote.
Commission Position: Neutral
3. AB 1336 Washington - Housing Authority Police Officers: This bill would amend Penal Code Sections 13510 and 13526.2 and would permit the City of Los Angeles and the City of Oakland Housing Authority Police Departments to become reimbursable agencies.
Commission Position: Neutral

A

B

C

4. **AB 1492 Thomson - Traumatic Brain Injury Fund:** This bill would D
revise the existing statutory formula for distributing revenue from the
State Penalty Assessment Fund by deleting the current \$500,000 per
year cap on Traumatic Brain Injury Project funding and the existing pro
rata distribution of funds in excess of that amount.
Commission Position: Oppose
5. **AB 1494 Wildman - Peace Officers: Los Angeles Unified School** E
District: This bill would amend P.C. 830.1 by applying any provision
to any police officer of the Los Angeles Unified District that pertains to
other peace officers whose authority extends to any place in the state
as specified. This bill would also expand the scope of peace officer
feasibility studies conducted by POST.
Commission Position: Neutral
6. **SB 66 Murray - Crime Prevention: Peace Officer Training:** This F
bill calls for POST to incorporate specific cultural diversity topics into
the Basic Course and would require California peace officers to receive
refresher training in this area every five years.
Commission Position: Support
7. **SB 78 Murray - Department of Justice: Annual Report:** This bill G
would require all California police officers to collect specific data
when conducting vehicle stops. This data would be sent to the
Department of Justice to be included in its annual Uniform Crime
Report statistics. The data collected would be used for research
and statistical purposes.
Commission Position: Oppose
8. **SB 122 Haynes - Public Safety Training Facilities:** This bill is H
titled the Public Safety Training Pilot Project Act of 1999. It would
create the Public Safety Training Facilities Fund which would finance
a three-year pilot project to develop three regional skills centers.
Commission Position: Neutral
9. **SB 163 Hughes - Adult Abuse:** This bill authorizes four counties I
(Los Angeles, San Francisco, Ventura, and Riverside) to form
Fiduciary Abuse Specialist Teams (FAST) to protect elder citizens
from financial abuse.
Commission Position: Neutral

- X 10. **SB 359 Knight - Reserve Peace Officers**: This bill would require that a reserve officer previously satisfying specified training requirements and serving as a level I or II reserve officer in one law enforcement agency be deemed qualified even though that reserve officer accepts a new appointment at the same level in another law enforcement agency. J
Commission Position: Neutral
11. **SB 381 Baca - Peace Officer Equipment**: This bill would move protective vests (body armor) from the category of recommended safety equipment to the category of required safety equipment to be furnished to peace officers. K
Commission Position: Neutral
12. **SB 747 Burton - Peace Officer Training**: This bill would authorize POST to implement comprehensive tests in the Basic Course (i.e., mid-term and final examinations). It would also transfer responsibility for security guard tear gas training from POST to the Department of Consumer Affairs. L
Commission Position: Support

BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, CA 95816-7083		Department of Justice	
TITLE OR SUBJECT Miranda Rights Training		BILL NUMBER/AUTHOR AB 1326/Baugh		DATE INTRODUCED February 26, 1999	
		RELATED BILLS		DATE LAST AMENDED	
SPONSORED BY California Attorneys for Criminal Justice		RECOMMENDED POSITION Neutral			
<p><u>GENERAL</u></p> <p>Assembly Bill 1326 would add Penal Code Section 13514.6 to:</p> <ol style="list-style-type: none"> 1. Require that law enforcement officers not be trained that it is permissible to continue questioning a suspect who is in custody once that suspect has unequivocally invoked his or her right to remain silent or to have an attorney present. 2. Questioning for the limited purpose of obtaining non-incriminating booking information or to protect the public safety would be permitted. <p><u>ANALYSIS</u></p> <p>This bill bases its authority on the Constitutional rights of suspects who request to remain silent and have an attorney present prior to any further questioning. Specifically, if an arrested person exercises his/her "Miranda Rights" by requesting an attorney to be present or choosing to remain silent, questioning by police authorities must stop.</p> <p>This bill sets a precedent as it mandates what <u>cannot</u> be trained. POST curricula is developed by subject matter experts who are practicing attorneys current in case law and legal interpretation. POST-certified courses that teach legal and case law topics cover a broad list of applicable laws pertaining to all facets of policing, supervision, and management. Included in these courses are discussions and instruction related to the "Miranda Rule."</p> <p>The fiscal impact of this bill is minimal. If passed, it could require curricula modifications to an unknown number of POST-certified courses.</p>					
ANALYSIS BY	Tom Hood	DATE	4-6-99	FISCAL IMPACT	Minimal
LEGISLATIVE LIAISON	Tom Hood	DATE	4-6-99	EXECUTIVE DIRECTOR	<i>Kenneth J. O'Brien</i>
				DATE	4-12-99
COMMISSION MEETING DATE:				COMMISSION POSITION: NEUTRAL	

BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, CA 95816-7083		Department of Justice
TITLE OR SUBJECT POST Commission Representation		BILL NUMBER/AUTHOR AB 1334/Lowenthal		DATE INTRODUCED February 26, 1999
		RELATED BILLS		DATE LAST AMENDED
SPONSORED BY Association of Los Angeles Deputy Sheriffs (ALADS)		RECOMMENDED POSITION Neutral		

GENERAL

Assembly Bill 1334 would:

1. Increase the membership of the POST Commission to 15 members by increasing the members who are peace officers from three to five.

ANALYSIS

Sponsored by the Association of Los Angeles Deputy Sheriffs (ALADS) (PORAC has been asked to co-sponsor), this bill is designed to increase "peace officer" representation on the Commission from three to five. No positions currently on the Commission would be eliminated as the overall number of members would grow from 13 to 15. The Attorney General would become the 16th Commissioner.

The fiscal impact of this bill is minimal.

RECOMMENDATION

It is recommended that the Commission adopt a NEUTRAL position on this bill.

Analysis By: Tom Hood	Date 3-5-99	Fiscal Impact: Minimal
Legislative Liaison: Tom Hood	Date 3-5-99	Executive Director <i>Keneth J. O'Brien</i> Date 3-11-99
Commission Meeting Date: March 11, 1999		Commission Position <i>Neutral</i>

BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, CA 95816-7083	
TITLE OR SUBJECT Housing Authority Police Officers	BILL NUMBER/AUTHOR AB 1336/Washington	DATE INTRODUCED February 26, 1999	
	RELATED BILLS	DATE LAST AMENDED	
SPONSORED BY Association of Los Angeles Deputy Sheriffs (ALADS)		RECOMMENDED POSITION Neutral	

GENERAL

Assembly Bill 1336 would:

1. Amend Penal Code Section 13510 and add Penal Code Section 13526.2 related to officers of the City of Los Angeles and the City of Oakland Housing Authority Police Departments.
2. Authorize the City of Los Angeles and the City of Oakland Housing Authority Police Departments to become POST reimbursable agencies.

ANALYSIS

Commission Policy D-5, *New Categories of Peace Officer, Reimbursement Program*, adopted in 1982 states:

"The immediate position of the Commission is neutral on legislation making new categories of peace officers eligible for POST reimbursement when there is included in the measure:

1. An appropriation to the POTF equal to the estimated reimbursement cost of the new category; and
2. Legislative intent language that every year thereafter the POST Aid to Local Government budget is to be augmented by the cost of such legislation.

This position shall remain in effect only until the next scheduled Commission meeting at which time the legislation will be reviewed and an official Commission position articulated."

The bill, as written, does not meet the criteria set forth in Commission Policy D-5. There are no appropriations to cover increased reimbursement obligations and no intent language addressing future augmentations to the POTF.

Analysis By: Tom Hood	Date 5-4-99	Fiscal Impact: Projected Reimbursement Increase of \$73,000
Legislative Liaison: Tom Hood	Date 5-4-99	Executive Director <i>[Signature]</i> Date 5-7-99
Commission Meeting Date:		Commission Position NEUTRAL

Both the City of Los Angeles and the City of Oakland Housing Authority Police Departments are non-reimbursable agencies in the POST Program. They are also legitimate departments under the Charters of both cities. The City of Oakland Housing Authority Police Department received CALEA accreditation in 1998. Both agencies derive their funding from Federal HUD sources which are limited exclusively to personnel and operational costs.

According to agency heads, neither agency has a formal training budget. Most new hires are lateral transfers. To keep costs at a minimum, housing Authority officers receive basic and in-service training from surrounding local law enforcement agencies (e.g., Los Angeles and Oakland Police Departments).

Currently, the City of Oakland Housing Authority Police Department employs 34 sworn officers, and the City of Los Angeles Housing Authority Police Department maintains a force of 78 peace officers for a total of 112. Using 1997/98 fiscal year budget figures, POST reimbursed an average of \$648* per officer. Using this average, the projected annual increase to the POTF for reimbursement to the two housing authority police departments would be approximately \$73,000.

RECOMMENDATION

On 3-17-99, the Commission adopted an OPPOSE position based solely on Commission Policy D-5. Although this bill conflicts with Commission Policy D-5, the Commission has the current and projected resources to reimburse both agencies for training expenses. It is recommended that the Commission review their position on this bill and consider a NEUTRAL position.

* Average cost per officer is for Basic Course and Technical Skills (including CPT) reimbursements only.

BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, CA 95816-7083		Department of Justice
TITLE OR SUBJECT Traumatic Brain Injury Fund		BILL NUMBER/AUTHOR AB 1492/Thomson & Aroner		DATE INTRODUCED February 26, 1999
		RELATED BILLS		DATE LAST AMENDED
SPONSORED BY		RECOMMENDED POSITION Oppose		

GENERAL

There are many facets of Assembly Bill 1492 that do not pertain to POST operations. This analysis will focus only on the funding for Traumatic Brain Injury programs. Assembly Bill 1492 would:

1. Revise the existing statutory formula for distributing revenue from the State Penalty Assessment Fund by deleting the current \$500,000 per year cap on Traumatic Brain Injury Project funding and the existing pro rata distribution of funds in excess of that amount.

ANALYSIS

The Traumatic Brain Injury Fund, administered by the state Department of Mental Health, has been in existence for many years. It currently receives .66% of the State Penalty Assessment Fund but cannot exceed \$500,000 in any given year. Money in excess of this cap is distributed pro rata to the other accounts in the Penalty Assessment Fund including the Peace Officer Training Fund.

Assembly Bill 1492 would remove both the \$500,000 limit as well as the redistribution provisions but leave in place the .66% distribution formula. The purpose of the proposed change is to provide additional revenue to the Traumatic Brain Injury Fund.

Assembly Bill 1492 would provide the Traumatic Brain Injury Fund an estimated \$487,320 additional annual revenue (1999-2000 projections). If this amount were not to be distributed pro rata to the other accounts in the Penalty Assessment Fund, POST would lose approximately \$117,000 annually.

RECOMMENDATION

It is recommended that the Commission adopt an OPPOSE position on this bill.

Analysis By: Tom Hood	Date 3-5-99	Fiscal Impact: Loss of \$117,000 annually
Legislative Liaison: Tom Hood	Date 3-5-99	Executive Director <i>Ken with J. O'Brien</i> Date 3-8-99
Commission Meeting Date: March 11, 1999		Commission Position <i>Oppose</i>

BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, CA 95816-7083	
TITLE OR SUBJECT Peace Officers	BILL NUMBER/AUTHOR AB 1494/Wildman	DATE INTRODUCED February 26, 1999	
	RELATED BILLS	DATE LAST AMENDED May 18, 1999	
SPONSORED BY PORAC		RECOMMENDED POSITION Neutral	

GENERAL

This bill has two primary objectives. Only the content impacting POST operations will be the subject of this analysis. Assembly Bill 1494 would amend Penal Code Sections 13540, 13541, and 13542 to:

1. Require a POST feasibility study for a person or persons who desire a change in their peace officer designation or status. The feasibility study would assess the need for the change.

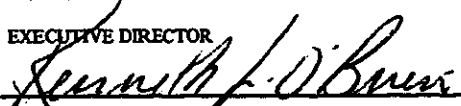
ANALYSIS

This bill was originally intended to move the Los Angeles Unified School District Police Department from Penal Code Section 830.32 to 830.1. It was amended in the Assembly Appropriations Committee to expand the scope of POST feasibility studies.

Under Penal Code Sections 13540-13542, POST is required to conduct a feasibility study for entities that desire peace officer status for the first time. Current interpretation of the law does not call for a feasibility study when an entity that already enjoys peace officer status wishes to move within the Penal Code Section 830 series. This bill would require POST to include, but not be limited to, an assessment of current and proposed job duties and responsibilities of the persons employed in the category seeking the designation change, their field law enforcement duties and responsibilities, and the extent to which their current duties and responsibilities require additional peace officer powers and authority.

An analysis of this bill, prepared by the Assembly Appropriations Committee, noted that "the Legislature faces a fairly regular number of bills seeking upgraded peace officer status from one group or another, and it may be time to require POST to study each proposal prior to legislative consideration." A formal request was made of POST to assist in amending Penal Code Sections 13540-13542. Suggested bill language was developed by POST staff and adopted by the bill's author and the Assembly Appropriations Committee on May 18, 1999.

ANALYSIS BY	Tom Hood	DATE 4-6-99	FISCAL IMPACT	Minimal
LEGISLATIVE LIAISON	Tom Hood <i>[Signature]</i>	DATE 4-6-99	EXECUTIVE DIRECTOR	<i>[Signature]</i> DATE 5-24-99
COMMISSION MEETING DATE:			COMMISSION POSITION:	
			NEUTRAL (6-1-99 via Commissioner Kneal)	

BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, CA 95816-7083		Department of Justice
TITLE OR SUBJECT Crime Prevention: Racial Profiles		BILL NUMBER/AUTHOR SB 66/Kevin Murray		DATE INTRODUCED December 7, 1998
		RELATED BILLS SB 78 (Vehicle Stop Data Collection)		DATE LAST AMENDED April 20, 1999
SPONSORED BY		RECOMMENDED POSITION Support		
<p>GENERAL</p> <p>Senate Bill 66 would amend Penal Code Section 13519.4 to:</p> <p>Require that the instruction on racial and cultural diversity presented in the Basic Course include, but not be limited to, adequate consideration of each of the following subjects:</p> <ol style="list-style-type: none"> 1. Identification of key indices and perspectives that make up cultural differences among residents in a local community. 2. Negative impact of biases, prejudices, and stereotyping on effective law enforcement, including examination of how historical perception of discriminatory enforcement practices have harmed police-community relations. 3. The history and role of the civil rights movement and struggles and their impact on law enforcement. 4. Specific obligations of officers in preventing, reporting, and responding to discriminatory or biased practices by fellow officers. 5. Perspectives of diverse, local constituency groups and experts on particular cultural and police-community relations issues in a local area. <p>The bill would also require that every officer receive refresher training in this topical area every five years, or on a more frequent basis if deemed necessary, in order to keep current with changing racial and cultural trends.</p>				
ANALYSIS BY Tom Hood		DATE 4-30-99		FISCAL IMPACT None
LEGISLATIVE LIAISON Tom Hood		DATE 4-30-99		EXECUTIVE DIRECTOR 
COMMISSION MEETING DATE: January 21, 1999		DATE 5-7-99 COMMISSION POSITION: Support		

ANALYSIS

This bill has been amended substantially from its original content and intent. The Basic Course topical areas listed above have been reviewed by POST staff from the Basic Course Bureau, the Center for Human Relations, and the Presley Institute of Criminal Investigation. All believe that the specific topics identified for inclusion in the Basic Course are not inconsistent with what is currently being taught. The Basic Course Coordinator noted that the language contained in this bill is more "focused" than our currently curricula. He believes that the mandated training called for in this bill could easily be incorporated into the POST Basic Course curricula.

While this bill represents a recurring, unfunded training mandate, the author has worked closely with POST staff and other law enforcement organizations in an attempt to reach a compromise between his original intent and the training needs of California peace officers.

Facing opposition in its original form, this bill is now supported by the California State Sheriff's Association, the California Peace Officer Association, and the California Police Chiefs' Association. The Peace Officer Research Association of California has changed from an oppose position to a neutral position.

RECOMMENDATION

It is recommended that the Commission change its position on this bill from Oppose, unless amended, to support.

BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, CA 95816-7083		Department of Justice
TITLE OR SUBJECT Vehicle Stop Statistical Information		BILL NUMBER/AUTHOR Senator Kevin Murray Senate Bill 78		DATE INTRODUCED December 7, 1998
		RELATED BILLS		DATE LAST AMENDED January 11, 1999
SPONSORED BY		RECOMMENDED POSITION Oppose		

GENERAL

This bill would:

1. Require the Department of Justice, commencing on or before July 1, 2001, to include in its annual report the number of individuals stopped for routine traffic enforcement by law enforcement officers whether or not a citation or warning was issued.
2. Require inclusion of the following information related to those stops:
 - A. The number of individuals stopped for routine traffic enforcement, whether or not a citation or warning was issued.
 - B. Identifying characteristics of the individual stopped, including the race or ethnicity, approximate age, and gender.
 - C. The alleged traffic infraction that led to the stop.
 - D. Whether a search was instituted as a result of the stop.
 - E. Whether the vehicle, personal effects, driver, passenger or passengers were searched.
 - F. The legal basis for the search, including whether consent was obtained, whether canine alerted, and whether there was probable cause or reasonable suspicion to suspect a crime.
 - G. Whether any contraband was discovered in the course of the search.
 - H. What was the contraband and how many or how much of the contraband was found.
 - I. Whether any oral or written citation or warning was issued as a result of the stop.
 - J. Whether an arrest was made as a result of either the stop or the search.
 - K. Whether any property was seized under forfeiture laws with a description of that property.
3. Require that data acquired pursuant to this bill shall be used only for research and statistical purposes and shall not contain any information that may reveal the identity of any individual who is stopped or any law enforcement officer.

ANALYSIS BY	Tom Hood	DATE 1-25-99	FISCAL IMPACT	Unknown at this time
LEGISLATIVE LIAISON	Tom Hood	DATE 1-25-99	EXECUTIVE DIRECTOR	<i>Kenneth L. O'Brien</i> DATE 2-14-99
COMMISSION MEETING DATE:			COMMISSION POSITION:	
January 21, 1999			Oppose	

ANALYSIS

The POST Center for Human Relations develops and coordinates the presentation of cultural diversity programs that stress the strength of diversity and the need for tolerance and non-prejudicial handling of policing situations. Thousands of California officers have been trained in these programs. The thrust of these efforts is to ensure that race, gender, ethnicity, religion, or sexual preference are not used as a basis for prejudicial or discriminatory treatment of the public by California law enforcement officers.

Law enforcement agencies, through Community Oriented Policing efforts, are striving to forge positive and productive relationships with their communities. It is critical that policing agencies not be perceived by their communities as "keeping tabs" or "tracking" citizen activities through compliance with the requirements of this bill. Many law enforcement agencies and groups believe this bill would specifically require officers to consider race, gender, and/or ethnicity when engaging in traffic enforcement activities. The Commission concurs that this bill would have a significant negative impact on policing efforts and is not in the best interest of California law enforcement.

While the bill requires that the data collected only be used for "research and statistical purposes," the specific research and/or statistical uses for this information are not identified. The amount of time and money it would take to obtain, compile, and report this information does not seem justified when weighed against an unknown use for the data.

COMMISSION POSITION

ON January 21, 1999, the Commission adopted an OPPOSE position on this bill.

BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, CA 95816-7083		Department of Justice
TITLE OR SUBJECT Public Safety Training Pilot Project Act of 1999		BILL NUMBER/AUTHOR SB 122/Haynes		DATE INTRODUCED December 21, 1998
		RELATED BILLS AB 1496 (1997/98 Legislative Year)		DATE LAST AMENDED
SPONSORED BY		RECOMMENDED POSITION Neutral		

GENERAL

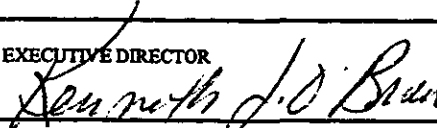
This bill would:

1. Add and repeal Part 12.5 (commencing with Section 15920) of Division 3 of Title 2 of the Government Code related to public safety.
2. Create the Public Safety Training Facilities Fund to finance a three-year pilot project to develop up to three public safety training facilities. This fund would also be used to purchase capital equipment for those facilities to meet the training needs of public safety agencies and employees.
3. Designate the Public Safety Training Facilities Board to administer funds and other pilot activities. The Executive Director of the Commission on POST (or his designee) would be a member of this Board.
4. Become operative only if funds (\$21 million) are appropriated in the annual Budget Act from the State General Fund and would be repealed on January 1, 2003.

ANALYSIS

POST staff has been actively involved in the establishment of regional skills centers for many years. During the 1997/98 Legislative Year, AB 1496 was authored by Assembly Member Papan but died during the second year due to a lack of support.

POST staff has participated as a member of the California Public Safety Regional Training Organizing Committee for a number of years. This committee has experienced a steady decline in interest and participation from the original member organizations. A critical meeting was called in June 1998 to discuss the future of this effort.

ANALYSIS BY	Tom Hood	DATE	1-13-99	FISCAL IMPACT	None
LEGISLATIVE LIAISON	Tom Hood	DATE	1-13-99	EXECUTIVE DIRECTOR	 DATE 2-14-99
COMMISSION MEETING DATE: January 21, 1999				COMMISSION POSITION Neutral	

The meeting drew only 15 of an anticipated 100 attendees. There was discussion as to whether work towards establishing public safety regional skills centers should be continued or abandoned. The meeting ended with no resolution to this question. The group opted to take a "wait and see" approach and see if the November 1998 elections would result in a more favorable political climate in which to reintroduce legislation.

Based on past experience, there may not be continued interest by California law enforcement for this bill. The State is also facing a possible budget shortfall which would make funding this bill using General Fund monies problematic.

Before the Commission at the January 1999 meeting is a proposal to encumber funds to purchase simulators and other support equipment. If approved by the Commission, POST will designate mini regional skills centers throughout the State and equip them with high-tech simulators for both driving and use of force judgment training. Specific geographical locations have been identified that best meet the training needs of California peace officers.

The bill has little fiscal impact on the Commission.

RECOMMENDATION

The Commission is funding the purchase and placement of high-tech training equipment at strategic geographical sites throughout California. These mini regional training centers are intended to meet the regional training needs of California law enforcement in specific perishable skills such as use of force and driving.

A position of NEUTRAL would allow the Commission to monitor the progress of this bill as it moves through the Legislature.

BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, CA 95816-7083		Department of Justice
TITLE OR SUBJECT Elder Fiduciary Abuse	BILL NUMBER/AUTHOR SB 163/Hughes		DATE INTRODUCED	
	RELATED BILLS		DATE LAST AMENDED January 11, 1999	
SPONSORED BY State Bar Association Commission on Aging		RECOMMENDED POSITION Neutral		

GENERAL

A similar bill was introduced during the 1997/98 Legislative year and was vetoed by Governor Wilson. This is a very comprehensive bill, so this analysis will focus only on the parts of the bill that impact POST operations and policies. Senate Bill 163 would:

1. Add and repeal Chapter 4 (commencing with Section 2950) of Part 5 of Division 4 of the Probate Code, relating to adult abuse. Officers participating in Fiduciary Abuse Specialist Teams (FAST) would be required to complete a "Fiduciary Abuse" training course certified by POST.

ANALYSIS

This bill focuses on protecting elder citizens from becoming victims of "fiduciary abuse" and other criminal acts of opportunity inflicted on them due to the fact that they are unable to manage their financial affairs. In order to freeze the elders assets and protect them from fiduciary abuse, this bill authorizes officers to make an initial assessment of individuals' vulnerability to victimization and, if appropriate, serve a "certification" document outlining the individuals' inability to manage their financial affairs to financial institutions and escrow companies. This bill establishes a three-year pilot program involving Los Angeles, San Francisco, Ventura, and Riverside counties. Participation by these counties is voluntary.

This bill outlines specific topical areas that the POST-certified course must address. On February 20, 1997, POST broadcast a telecourse on Elder Abuse. In addition to the video broadcast, an Elder Abuse Telecourse Reference Guide was developed and distributed to the field. Both the telecourse and the reference guide contain guidelines for investigating elder fiduciary abuse.

ANALYSIS BY Tom Hood	DATE 1-15-99	FISCAL IMPACT	
LEGISLATIVE LIAISON Tom Hood	DATE 1-15-99	EXECUTIVE DIRECTOR <i>Kenneth J. O'Brien</i>	DATE 6/29/99
COMMISSION MEETING DATE: January 21, 1999		COMMISSION POSITION: Neutral, unless amended	

This bill would change a number of current procedures regulating elder fiduciary abuse investigations and protocols. The POST telecourse would have to be reviewed to ensure that it contained updated legal and procedural references and guidelines.

The fiscal impact on POST would be minimal and most likely limited to the development of an updated fiduciary abuse course or telecourse.

COMMISSION POSITION:

On January 21, 1999, the Commission adopted a neutral, unless amended position on this bill. If the author is willing to delete the recurring training requirement, the position will be changed to NEUTRAL.

BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, CA 95816-7083	
TITLE OR SUBJECT Reserve Peace Officers	BILL NUMBER/AUTHOR SB 359/Senator Pete Knight	DATE INTRODUCED February 10, 1999	
	RELATED BILLS	DATE LAST AMENDED	
SPONSORED BY California Reserve Peace Officers' Association		RECOMMENDED POSITION Neutral	

GENERAL

Senate Bill 359 addresses two issues related to Reserve Peace Officers. This analysis focuses on one item that potentially impacts POST. This bill would:

Require that a reserve officer who has previously satisfied specified training requirements and has been serving as a level I or II reserve officer in one law enforcement agency be deemed to remain qualified even though that reserve officer accepts a new appointment at the same level in another law enforcement agency.

ANALYSIS

This bill is specifically intended to allow level I and II reserve peace officers to move from one law enforcement agency to another without losing status or being required to meet new training standards. As part-time volunteers, most reserve officers work in occupations other than law enforcement. Occasionally, through no action of their own, employers transfer them to new communities. Even if they voluntarily move their residence to other communities, this bill will allow reserve officers to seek reserve peace officer positions at their "current" status (e.g., level I or II) in their new communities with the least amount of confusion or delay.

This bill appears to have sufficient safeguards built into the language to preclude any possible abuse. There is no fiscal impact on POST.

RECOMMENDATION

Since this bill has little if any impact on POST, it is recommended that the Commission adopt a NEUTRAL position.

Analysis By: Tom Hood	Date 2-22-99	Fiscal Impact:	
Legislative Liaison: Tom Hood	Date 2-22-99	Executive Director: <i>Kenneth J. O'Brien</i>	Date 2-22-99
Commission Meeting Date: March 11, 1999		Commission Position <i>Neutral</i>	

BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, CA 95816-7083		Department of Justice COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, CA 95816-7083
TITLE OR SUBJECT Peace Officer Equipment		BILL NUMBER/AUTHOR SB 381 Senator Baca		DATE INTRODUCED February 11, 1999
		RELATED BILLS		DATE LAST AMENDED April 21, 1999
SPONSORED BY PORAC		RECOMMENDED POSITION Neutral		
<p><u>GENERAL</u></p> <p>Senate Bill 381 would:</p> <p>Move protective vests (i.e., body armor) from the category of recommended equipment that is not reimbursable to the category of equipment required to be furnished to peace officers.</p> <p><u>ANALYSIS</u></p> <p>Government Code Section 50081 states that, to the extent that funds have been made available to a local agency pursuant to Government Code Section 50082, the legislative body of a local agency shall furnish each newly hired police officer and deputy sheriff with the following safety equipment:</p> <ul style="list-style-type: none"> o Service revolver or other suitable pistol o Holster o Belt and ammunition o Nightstick o Handcuffs o Raincoat o Rain Boots <p>This bill adds the following language to Penal code Section 50081:</p> <p>"To the extent that funds have been made available to a local agency pursuant to Section 50082, a protective vest shall be furnished and paid for by the local agency . . ."</p> <p>The bill also outlines provisions and time frames for the issuance and replacement of protective vests.</p>				
Analysis By: Tom Hood		Date 2-22-99		Fiscal Impact: Unknown
Legislative Liaison: Tom Hood		Date 2-22-99		Executive Director <i>Kenneth J. O'Brien</i> Date 5-7-99
Commission Meeting Date: March 11, 1999		Commission Position Neutral		

Key to the operational success of GC Section 50081 is the phrase "to the extent that funds have been made available to a local agency pursuant to Section 50082 . . ." To date, no funds have been allocated to POST by the Legislature to carry out the provisions of either GC Section 50081 or 50082. Due to this lack of funding, local law enforcement agencies have been funding the purchase of designated safety equipment out of their budgets.

There is no immediate fiscal impact on POST. If this amendment results in full or partial funding as called for in the law, POST would be required to implement a safety equipment reimbursement system. As currently written, the law would provide sufficient funds to POST to administer these additional reimbursement responsibilities.

RECOMMENDATION

It is recommended that the Commission adopt a neutral position on this bill.

BILL ANALYSIS	State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, CA 95816-7083	
TITLE OR SUBJECT Peace Officer Training	BILL NUMBER/AUTHOR SB747 Senator Burton	DATE INTRODUCED May 6, 1999
	RELATED BILLS	DATE LAST AMENDED
SPONSORED BY Commission on POST	RECOMMENDED POSITION Support	

GENERAL

By amending Sections 832.3 and 12403.5 of the Penal Code, this bill would:

1. Authorize POST to develop standardized tests for the Regular Basic Course (RBC) that enables:
 1) comparisons between presenters of the training, and 2) assessments of trainee achievement. The bill also contains language related to test confidentiality issues and that passage of the tests shall be required for successful completion of the RBC.
2. Transfer responsibility for security guard tear gas training from the Commission to the Department of Consumer Affairs.

ANALYSIS

Both topics noted above originated with, and are sponsored by, the Commission.

By authorizing the Commission to develop standardized tests for the RBC, this bill would provide POST with legislative authority to implement pre-tests, mid-term, and end-of-course examinations. The intent of these tests is to raise the level of competency of RBC graduates while providing analytical data for interpretive and research purposes by POST staff.

The bill requires POST to take all steps necessary to maintain the confidentiality of the test scores, test items, scoring keys, and other examination data used in the testing program. It also allows the Commission to determine the minimum passing score for each test and the conditions for retesting students who fail. Passing these tests shall be required for successful completion of the RBC.

Transferring responsibility for security guard tear gas training to the Department of Consumer Affairs corrects a situation that has been in existence since 1971. POST does not have the authority nor the responsibility for training security guards. The Department of Consumer Affairs agrees with this assessment and is willing to accept the training mandate of this bill.

Analysis By: Tom Hood	Date 5-7-99	Fiscal Impact:
Legislative Liaison: Tom Hood	Date 5-7-99	Executive Director: <i>Timothy J. O'Brien</i> Date 5-10-99
Commission Meeting Date:	Commission Position <i>Support via Commissioner Kdender</i>	

5-18-99

RECOMMENDATION:

It is recommended that the Commission adopt a SUPPORT position on this bill.

MEMORANDUM

To : ALL COMMISSIONERS

Date: October 1, 1999

From : KEN O'BRIEN
Executive Director
Commission on Peace Officer Standards and Training

Subject : Report From the Strategic Plan Implementation Committee

The attached Report provides an updated status on implementation activities on behalf of POST's Strategic Plan. Staff would be pleased to answer questions on any aspect of this Report.

Provided separately to Commissioners is a copy of the 1999 Strategic Plan which has been approved by POST's Strategic Plan Implementation Committee. 1999 changes to the Plan are summarized on page 26 of the Report. Included are five amended, one additional and one deleted objectives.

Recommendation:

If the Commission concurs, the appropriate action would be to approve the 1999 POST Strategic Plan.

KJO:HS:am

QUARTERLY PROGRESS REPORT IN IMPLEMENTING POST'S STRATEGIC PLAN

(Progress From June 1999 - October 1999)
(Revised October 1999)

STRATEGIC PLAN OBJECTIVE	PROGRESS
<u>INCREASE STANDARDS AND COMPETENCIES</u>	
A.1 Establish a voluntary law enforcement agency accreditation program. (MCB)	Based on Commission approval, accreditation standards have been updated and distributed to 122 agencies for voluntary use.
A.2 Complete an analysis of the critical duties and competencies of positions covered in the POST program (S&E)	Literature on supervisor job tasks is being reviewed, and job tasks are being drafted. The job assessment includes: a) traditional <i>Command and Control Policing</i> , b) <i>Community Policing</i> , and c) a combination of both. An assessment of <i>Leadership</i> and identification of leadership-related job tasks and characteristics are being drafted.
A.3 Review POST's Continuing Professional Training (CPT) requirement including hours, frequency, content and whether it should be extended to law enforcement managers and executives, public safety dispatchers, and Level II reserve officers. (TPS)	The Management Fellow assigned to the Perishable Skills project has been selected and has held the first Steering Committee meeting. SME meetings have been held, curriculum developed, and pilot programs are scheduled to begin in October.
A.5 Research and develop additional minimum qualifications as necessary and secure legislative changes to ensure their application to all entrants into basic academies. (BTB)	An Ad Hoc Committee of academy directors has been formed and has begun identifying possible new prerequisites including the reading and writing exam, physical conditioning exam, medical screening, oral interview, and a more thorough criminal history check.

STRATEGIC PLAN OBJECTIVE	PROGRESS
<u>INCREASE STANDARDS AND COMPETENCIES</u>	
A.6 Study the feasibility of strengthening POST certificates including the linking of certificates to demonstrated competencies. (ASB)	Scheduled to be initiated 1-1-01. However, the Commission took action at its January 1999 meeting to upgrade the eligibility requirements for the POST Reserve Certificate to include completion of the Regular Basic Course and 400 hours of field training.
A.7 Study the feasibility of increasing and improving testing in POST-certified courses. (S&E)	Scheduled to begin January 2000.
A.8 Establish additional entry-level selection standards and improve upon existing standards as appropriate. (S&E)	
Part I - Cognitive Ability and Personality Assessment (Entry-Level Selection Test Battery)	Work has been delayed due to the loss of the staff member working on this activity. A new member has recently been assigned to familiarize himself with the work.
Part II - Update <i>Psychological Screening Manual</i>	New measures to traits are being evaluated to determine their role in the new manual; research consortium members and contractors are being identified to assist in developing the Manual; and the impact of recent ADA Supreme Court Decisions are being evaluated to assess the impact on the guidelines.
Part III - Entry-level Oral Interview Guidelines	Scheduled to begin July 2001.
Part IV - Entry-Level Educational Requirement	The study was completed and a report developed and presented to the Long Range Planning Committee in June. The LRPC approved the recommendation to seek support at the federal level to establish financial incentives for current law enforcement officers who seek college or university level education.

STRATEGIC PLAN OBJECTIVE	PROGRESS
<u>INCREASE STANDARDS AND COMPETENCIES</u>	
<p>A.9 Increase, improve, and standardize POST's cognitive and skill testing required for graduation from the regular basic academy. (S&E)</p>	<p><u>Cognitive:</u> Alignment of the Regular Basic Course curricula and testing continues. The pilot of the newly developed mid-term is underway. The Basic Course Test Review Panel continues to meet monthly to review and approve cognitive tests.</p> <p><u>Skills:</u> A mid-term and final examination have been pilot-tested and a proctor training video completed for LD #33 (Arrest and Control/Baton). These tests will also be used for the recently developed reserve level testing.</p> <p>Senate Bill 747, a bill sponsored by POST, was signed into law and authorizes mid-term and final exams.</p>
<p>A.11 Complete an updated job analysis of the entry-level peace officer position. (S&E)</p>	<p>Workshops are underway to identify and link skills to core tasks. Also, the importance of each core task, when the task should be learned to competency, and the tools and equipment need is also being collected.</p>
<p>A.12 Assess the feasibility for developing skills training and/or testing requirements for line-level officers as part of POST's continuing professional training requirement. (TPS)</p>	<p>Curriculum developed, pilots to begin October 1999.</p>

STRATEGIC PLAN OBJECTIVE	PROGRESS
<p><u>MAXIMIZE TRAINING DELIVERY</u></p> <p>B.1 Re-engineer the training needs assessment process for both short- and long-term planning purposes to identify continuing and emerging course needs and consider agency specific training plans. (TD&C)</p> <p>B.2 Develop a systematic career path approach to training design and delivery. (CLD)</p> <p>B.4 Evaluate and implement alternative approaches to satisfying training needs. (TPS)</p> <p>B.6 Establish a standardized course development process and one that can be adapted for rapidly emerging training needs. (TPS)</p>	<p>A computerized process is now being designed that will facilitate the production of an annually produced document that allows for the ready identification of statewide training needs as well as regional needs.</p> <p>POST is also presenting training to law enforcement training managers on techniques for conducting internal training needs assessments which should improve the quality of TNA's.</p> <p>Research is being directed at identifying what, if any, training should be included at all levels. Also, the Supervisory and Management Course curriculum are being reviewed. Pilots are being planned for the Supervisory Course.</p> <p>See Progress under B.10. The Commission approved, at its November 1998 meeting, a proposal to modify Regulation 1081 to allow students to complete legislatively-mandated training courses in less hours than required by traditional instruction. Currently research is being conducted regarding the use of the Internet as a means of training delivery. Meeting has been held with SMEs. The agenda item is still under review.</p> <p>Scheduled for project initiation 1-1-00.</p>

STRATEGIC PLAN OBJECTIVE

PROGRESS

MAXIMIZE TRAINING DELIVERY

B.7 Actively support establishment of Regional Skills Centers. (TPS)

At the January 1999 meeting, the Commission approved initial implementation of a revised concept of Perishable Skills Training/Testing Centers that varies considerably from the previous Regional Skills Centers concept. The Regional Skills Development Committee has met and voted to dissolve primarily because of the Commission pursuing the above Perishable Skills Centers concept.

Seventeen Regional Skills Centers are in the process of being established. Contracts for simulators have been secured with the centers, and agencies are in the process of acquiring simulators. Curriculum in driving and force options training is being finalized.

B.8 Conduct research and development on new training technologies that have potential for improving the quality and cost-effectiveness of training. (TPS)

Ongoing. All manufacturers of firearms simulators demonstrated their products in February for POST. CD-ROM multi-media reimbursement process has been started. Staff attended Inter-service/Industry Training Systems and Education Conference to explore capabilities of multimedia training management system. Staff also attended ASTD/SALT Interactive Multimedia Conference and Training '99 Conference.

Staff attended the ASTD (American Society for Training and Development) Tech Knowledge '99 conference in Minneapolis.

STRATEGIC PLAN OBJECTIVE	PROGRESS
<p><u>MAXIMIZE TRAINING DELIVERY</u></p> <p>B.10 Develop competency-based training courses using appropriate delivery and evaluation systems. (TPS)</p> <p>B.12 Simplify the course certification process. (TD&C)</p> <p>B.13 Establish selection guidelines, certification, and training programs for instructors. (TPS)</p>	<p>See progress under B.4. Continued progress on domestic violence CD-ROM course; high-level design work on instructor development CD-ROM completed; and contract to adapt U.S. Air Force Haz Mat course for Law Enforcement with ON-Guard. Plan is being developed for competency-based training associated with Level II and III Reserve Modules. The POST study on perishable skills requalification is underway.</p> <p>The Domestic violence and Hazardous Materials CD-ROM courses are nearing completion and will be demonstrated for the Advisory Committee at the October Commission meeting. The Instructor Development CD-ROM is also completed. A CD-ROM course on Sexual Assault is in the initial planning stage.</p> <p>The certification of Skill and Knowledge Module Course has been streamlined. The course budget process is being reviewed. Plan III tuition guidelines have been updated. Instructor salary guidelines have been standardized.</p> <p>The Voluntary Basic Course Instructor Certificate Pilot Program has been pilot-tested, and presenters who were involved are assisting POST in evaluating the program. An Update Conference was presented in June for graduates of the Master Instructor Development Program. POST is working with the Santa Rosa Training Center on a Public Safety Instructor Symposium to be presented in the spring of 2000.</p>

STRATEGIC PLAN OBJECTIVE

PROGRESS

MAXIMIZE TRAINING DELIVERY

B.14 Study the feasibility and need for expansion of the distance learning systems. (TPS)

The final encryption test for the satellite system has been completed. POST will reimburse the remaining agencies that have not requested equipment. The Commission has approved funding to update the set and graphics for the California POST Television Network (CPTN).

In July 1999, the satellite encryption control system was activated full-time for California POST Television Network (CPTN). The subscription program was also enacted in July for non-California POST agencies to allow continued viewing of encrypted network. POST continued to reimburse the necessary *PROGUARD* encryption decoder for eligible California agencies beyond the June 1999 deadline and extended the decoder reimbursement deadline to June 2000.

In May 1999, the new CPTN studio set and telecourse graphics package were completed and unveiled to CPTN viewers, and in August 1999, the new graphics package for other CPTN programs was completed.

B.15 Study the feasibility of using information from agency-specific training plans to assist POST with the training needs assessment process. (TD&C)

The TNA process is being revamped, and a generic agency TNA is being developed for use by agencies.

B.16 Maximize the availability of Level I reserve training. (BTB)

A staff study on alternative means for delivering basic training in the modular format is being reviewed by staff.

STRATEGIC PLAN OBJECTIVE	PROGRESS
<u>MAXIMIZE TRAINING DELIVERY</u>	
B.17 Maximize the availability of driver training. (TD&C)	The Commission has approved contracts to make additional driver training simulators available to areas not now served by such systems. The Commission approved, at its March 1999 meeting, Plan I reimbursement for driver training update courses.
B.18 Study the feasibility of certifying training courses located outside of California. (TD&C)	POST is currently certifying training courses along the California-Oregon border to increase accessibility of training. Plans are to extend this to other bordering states. The Commission will consider a modification to Regulation 1015 to allow reimbursement for some training courses offered in states "contiguous" (Oregon, Nevada, and Arizona). The Public Hearing is set for the October 1999 meeting. Public Hearing pending next Commission meeting.
<u>ESTABLISH PARTNERSHIPS</u>	
C.1 Identify partners and analyze their needs and expectations. (Snow)	Ongoing activity.
C.2 Build coalitions for ongoing legislative liaison program. (Hood)	Ongoing activity. Loose coalitions already exist with CPOA, CSSA, CPCA, PORAC, and other groups. Open lines of communication exist. Loose coalitions provide for greater flexibility because relationship varies with different issues.
C.3 Broaden opportunities for direct interaction between POST and its partners(AD's)	Ongoing activity.
C.4 Establish cooperative efforts with other criminal justice and related public safety components. (AD's)	POST has provided expertise to CPOST and CDC on internal affairs training curriculum. POST is also providing technical assistance to the CDC academy for updating its curriculum.

STRATEGIC PLAN OBJECTIVE

PROGRESS

ESTABLISH PARTNERSHIPS

C.5 Seek out long-term training and technology partnerships with public safety agencies and private industry. (TPS)

MOU with the U.S. Air Force was approved in December. Initial inquiry has been made regarding partnering with government agency for managing multimedia development. POST has also teamed up with the Chancellor's Office, of the California Community Colleges, and the Santa Rosa Training Center to produce a CD-ROM instructor training program.

POST has contracted with San Diego State University (KPBS) to convert the Drug and Alcohol Recognition IVD courses to CD-ROM format. Plans are underway to establish an ongoing partnership with KPBS to produce multimedia instruction for POST. The U.S. Air Force, working under the terms of the Memorandum of Understanding with POST, is in the process of converting the First Aid/CPR IVD course to CD-ROM.

C.6 Increase participation with the California Law Enforcement Image Coalition. (Hood)

Assisting the LAPD (at the request of Chief Parks) to identify videotaped scenarios that enhance communication and a positive image.

Developed a brochure for distribution at conferences and trade shows (e.g.; CopsWest Trade Show in September).

Working with POST staff, and others, to develop a 30-minute telecourse designed for the general public on police image issues.

Developing 30-second Public Service Announcements (PSAs) for distribution to law enforcement agency heads.

Encouraging members to write articles for magazines, newsletter, and trade publications on police image issues.

STRATEGIC PLAN OBJECTIVE	PROGRESS
<u>ESTABLISH PARTNERSHIPS</u>	
C.7 Develop programs that will enhance peace officer recruitment. (S&E and TD&C)	Initial work has been done with a tri-county consortium of law enforcement agencies in the South Bay (i.e., San Francisco, Contra Costa, and San Mateo Counties.) A pilot test process and supporting software were developed to support remote entry-level testing and scoring for the Reading/Writing tests. A Commission agenda item will be submitted at the October meeting requesting authorization for a Management Fellow to further the work of this objective.
C.8 Maximize opportunities for promoting better interaction between law enforcement and crime victims. (TPS)	The Victims' Video has been edited to include new Attorney General Lockyer. The video currently being translated into Vietnamese.
<u>ENSURE ADEQUATE RESOURCES</u>	
D.1 Support partners as they advocate for more POST resources to meet their service expectations. (Hood)	<p>Ongoing activity.</p> <p>Continue to examine and modify back-fill program.</p> <p>Plan to expand formal meetings with partners (e.g., labor organizations) to share information and seek feedback.</p> <p>Welcoming the City of Los Angeles and Oakland Housing Authority Police departments into the POST reimbursable program.</p>
D.2 Set priorities, in concert with law enforcement, for all POST programs and services . . . (AD's)	Ongoing activity.
D.4 Link short- and long-term fiscal planning and reporting to strategic plan implementation. (ASB)	Ongoing activity.

STRATEGIC PLAN OBJECTIVE	PROGRESS
<u>ENSURE ADEQUATE RESOURCES</u>	
D.5 Develop alternative cost-recovery strategies and implement when appropriate. (ASB)	The Commission approved the establishment of a subscription fee to receive POST's satellite broadcasts. POST now receives income from the sale of basic course student workbooks from the State Office of Publishing.
D.6 Study the feasibility of reimbursing for trainee replacement, training development, and presentation costs. (ASB)	The Commission is expanding back-fill and tuition reimbursement.
<u>ESTABLISH CLEARINGHOUSE</u>	
E.1 Optimize the field's access to the POST library within the limits of POST's resources. (ISB)	Researching options for making the optimal amount of POST library resources available via the Clearinghouse.
E.2 Expand referrals for research, networking, information exchange, and law enforcement technical assistance. (ISB)	On-line hyperlink resources related to law enforcement are now available on the POST web site. The on-line information is under continuous development for timely and accurate information.
E.3 Serve as a single point of contact, accessible 24 hours a day for linkages with multiple databases. (ISB)	Completed. Same as above. New resources will be added as they are available.
E.4 Identify and record model (commendable) programs and procedures from the field for inclusion in the clearinghouse. (ISB)	Model programs have been identified as Clearinghouse subject priority eight. A project plan will be developed to identify implementation time frames and partners. To date, the Attorney General's Office has offered its services in providing input.

STRATEGIC PLAN OBJECTIVE	PROGRESS
<u>ESTABLISH CLEARINGHOUSE</u>	
E.5 Provide early warning research, including "white papers," that highlights critical emerging futures issues. (CLD)	A "futures" hyperlink is included on the POST web site. A Clearinghouse subject, specific to "futures," will be reviewed and prioritized, along with other subjects, at a Summer 1999 POST Internal Clearinghouse Committee meeting.
E.6 Establish a User Committee to advise the clearinghouse is meeting the needs of law enforcement on a continuing basis. (ISB)	The POST Internal Clearinghouse Committee has been established and convened on January 27, 1999. The establishment of an External Clearinghouse Committee is in progress. The first meeting of the external committee is tentatively scheduled for May 1999.
E.7 Implement a program to optimize the field's use of the clearinghouse, as well as the level and quality of contributions from the field. (ISB)	Ongoing activity. An announcement will be mailed to POST customers after the Clearinghouse is refined and more features established. Other announcements, marketing plans, and evaluation surveys will be developed and implemented as the Clearinghouse site develops.
E.8 Automate the functions and services of the Clearinghouse. (CSB)	Search feature for POST's Home Page is being developed.
<u>ENSURE QUALITY SERVICES</u>	
F.1 Assess regularly how POST's clientele perceives its services. (Hood)	Ongoing activity.
F.2 Publicize available POST Services. (ISB)	In addition to the POST web site, other steps to promote POST services via mass mail, e-mail and law enforcement conferences continue to be discussed at POST Internal Clearinghouse Committee meetings.
F.3 Broaden the diversity of persons and organizations providing advice to POST(AD's)	Ongoing activity.

STRATEGIC PLAN OBJECTIVE	PROGRESS
<u>ENSURE QUALITY SERVICES</u>	
F.4 Conduct periodic audits of POST's functions and activities. (Hood)	<p>Audit of four major programs in progress -- ICI, SLI, Command College, and the Master Instructor Course.</p> <p>Audit of Human Relations training programs in progress.</p>
F.5 Review proposed new projects and programs . . . (AD's)	Routinely accomplished.
F.6 Review all existing regulations . . . (ISB)	In progress.
F.7 Upgrade POST's internal information and management business processes. (CSB)	A consultant is developing detailed work plans -- one for the Electronic Data Interchange (EDI) and one for the Training Management System (TMS).
F.8 Assess regularly the quality of POST-certified courses. (TD&C)	Ongoing activity. Executive monitoring program being resurrected. TD&C consultants have been directed to audit two courses each per quarter. Efforts suspended pending acquisition of additional support to coordinate Executive Office Monitoring Program.
<u>VALUE OUR EMPLOYEES</u>	
G.1 Improve staff training, particularly related to policies and procedures <u>and</u> other areas of critical need. (ASB)	Full-time POST training manager appointed. Periodic speakers being brought in for staff training. New employee orientation is occurring regularly. POST has formed an informal training committee.

STRATEGIC PLAN OBJECTIVE	PROGRESS
<u>VALUE OUR EMPLOYEES</u>	
G.3 Provide opportunities for continuing staff input on implementing the Strategic Plan. (Snow)	Staff is routinely invited to attend Quarterly Implementation meetings. Quarterly Progress Reports are made available. Bureau members discuss progress in their meetings.
G.4 Provide for staff development by cross training in multiple assignments. (ASB)	Ongoing activity.
G.5 Adopt mechanisms to improve internal communications. (AD's)	The Intranet has been established to assist with improved communications. A project assignment and status site are being developed for internal use.
G.6 Develop an employee skill and knowledge inventory. (ASB)	Scheduled initiation for 7-1-99.
G.7 Establish multi-unit, self-directed work groups or teams. (AD's)	Multi-unit work groups are routinely formed for specific purposes and achieve considerable success in addressing issues.

Revised 10-01-99

California Organization of Police and Sheriffs



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May 26, 1999

Commission on Post

JUN 01 1999

Rick TerBorch, Chairman
Commission on Peace Officer
Standards and Training
1601 Alhambra
Sacramento, CA 95816

Dear Rick,

This letter is to inform you that I will be stepping down as the California Organization of Police and Sheriffs' representative on the POST Advisory Committee effective on the date of the July Commission meeting. Please be advised that COPS has selected Lt. Ray Griffith of the Cathedral City Police Department as my replacement.

It has been a pleasure working with the Commission and its staff over the past thirteen years. The experience has been rewarding.

I would like to take this opportunity to wish you, the other members of the Commission, the members of the Advisory Committee, as well as the dedicated men and women at POST, continued success.

Sincerely and fraternally,

Don Brown, President
California Organization of Police and Sheriffs

cc: Ken O'Brien
Hal Snow
Charles Byrd
Ray Griffith